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General Ordinances

OF THE

CITY OF CINCINNATI

1887 — 1905
(*March 6th*)

COMPILED BY

EDWIN HENDERSON

CINCINNATI

THE COMMERCIAL-GAZETTE JOB PRINTING CO.

1905



352.07717

C49 or

1887-1905

Council of the City of Cincinnati,

OFFICE OF THE CLERK

Cincinnati, March 6, 1905.

Honorable Council of the City of Cincinnati:

GENTLEMEN,—

This compilation of Ordinances and certain Resolutions of the Common Council, the City Council, the Board of Legislation, and the present Council of the City of Cincinnati brings them from the conclusion of Coppock and Hertenstein in 1887 to this time.

These Ordinances and Resolutions are such as are necessary for use in Courts, and such as may be called of permanent nature and making provision for public offices. They also include all franchises passed by your body and your predecessors from February, 1887, to date.

It will be observed that many of them are amendatory of those found in Coppock and Hertenstein.

It will be determined as to a few of these Ordinances that they must be invalid under the new "Code," the effect of which is that no Ordinance of a date prior to its passage shall continue in force if of a nature and effect that would not be permissible of passage under it.

Very respectfully,

EDWIN HENDERSON,

CLERK

1111532

General 28 Oct 40 Allen's book store = 1887-1905 21 July 96 Geo. W. W.

INDEX.

| | |
|---|---|
| Abuse of family, punishment for..... | 218 |
| Advertising on fences..... | 88 |
| in markets..... | 188 |
| theatrical shows, etc., in newspapers..... | 414 |
| Ale-houses, regulation of..... | 18 |
| American Tool Works Company, tramway for..... | 421 |
| Animals (dead) and offal, removal of..... | 149-159, 541 |
| matter in Ohio River..... | 384 |
| Annexation of Avondale, Clifton, Linwood, Riverside, and Westwood. 1-4, 455 | |
| of Bond Hill, Evanston, Hyde Park, and Winton } 11, 12, 13, 14, 15, 16, 17 | |
| Place..... | |
| of certain territory and repeal..... | 1, 4, 5, 6, 7, 8, 9, 10, 17, 18, 78, 525, 526 |
| of Thirteenth Ward..... | 514 |
| of various villages (repealed)..... | 5 |
| territory east of Reading Road..... | 533, 534 |
| bounded by Spring-Grove Avenue, Miami and Erie Canal, } 537, 538 | |
| Donnell Street, etc..... | |
| Appropriating ordinances (semi-annual)..... | 20 |
| Ashes in fills..... | 145 |
| hauling of, regulated..... | 385 |
| Asylum for inebriates, bequest for..... | 170 |
| Auditor's office, appointments and duties..... | 19, 21-23, 24, 579, 581 |
| oaths and bonds..... | 19, 22 |
| to advertise and sell bonds..... | 35, 36 |
| semi-annual appropriating ordinance..... | 20 |
| Automobiles in streets and speed of..... | 24, 26 |
| minors jumping on or off..... | 553 |
| Bailbonds, fees for, prohibited..... | 206 |
| Ball-rooms, regulation of..... | 26 |
| Balcony on Fifth Street. | 46 |
| Basements, ventilation of..... | 51 |
| Bath-house, free public..... | 581 |
| Bath-tubs in tenements..... | 48 |

| | |
|---|------------------------|
| Beam, iron, across Bard Alley..... | 568 |
| Beer-houses, regulation of..... | 18 |
| Begging, punishment for..... | 218 |
| Bicycles in streets..... | 27 |
| dry strips for..... | 28 |
| protection of..... | 28 |
| Blocked squares..... | 29-31, 578 |
| in former village of Evanston..... | 573 |
| ordinances repealed..... | 31, 32, 578 |
| Board of Improvements, repeal of ordinance for..... | 172 |
| Bonds, extension of..... | 33 |
| for University..... | 432 |
| for Hospital..... | 579 |
| official..... | 34, 173, 491, 569, 588 |
| issues ordered..... | 34, 35, 576-578 |
| Bootblacks, regulation of..... | 36 |
| Bridges, private, etc., across Hazen Alley..... | 37 |
| across Española Alley (4)..... | 38, 40 |
| across Alabama Avenue..... | 38 |
| across John Street..... | 39 |
| across Front Street..... | 39 |
| across Pugh Alley..... | 42 |
| across L'Hommedieu Alley..... | 42 |
| across Summer Street..... | 43 |
| across Clearwater Street..... | 43 |
| across Culvert Street..... | 44 |
| Covington and Cincinnati Bridge Company..... | 40, 41 |
| across Lawnway Avenue..... | 44 |
| Wade Street..... | 45 |
| across German Alley..... | 45 |
| over sidewalks for building purposes..... | 164 |
| over gutters..... | 164 |
| across Avery Alley..... | 553 |
| across Scott Alley..... | 554 |
| across Hay Alley..... | 563 |
| Buildings, and inspection of, general..... | 51-74, 74-86, 87, 89 |
| Ordinance No. 218 as amended..... | 580 |
| construction of, regulated (4220)..... | 47 |
| use of streets in erecting..... | 47 |
| bath-tubs in..... | 48 |
| protection of streets (970)..... | 50 |
| ventilation of cellars..... | 51 |
| fences..... | 88 |
| stenographer in department of..... | 87 |
| fees for permits..... | 89 |
| subject of fire-escapes..... | 67, 141 |
| Burglar-alarm business..... | 113-117 |
| Burglars, punishment of..... | 218 |

| | |
|--|------------------------|
| Burial-ground, city..... | 167-170 |
| Business, solicitation of..... | 388, 389 |
| license on..... | 500-510 |
| Cabmen and cabs..... | 388, 434, 435 |
| Canopy, Union Grain and Hay Elevator..... | 575 |
| Carnegie, thanks to..... | 583 |
| Carload lots of produce..... | 216 |
| Cartridges, blank..... | 528 |
| Cellars, ventilation of..... | 51 |
| Central standard time..... | 418 |
| Certificate of corporation counsel (solicitor) as to improvements..... | 171 |
| Chief of police, permit of, for processions..... | 538 |
| Cincinnati Township, lines of..... | 584-587 |
| Cinder paths..... | 28 |
| Cinders, hauling of, regulated..... | 385 |
| Cisterns, protection of..... | 90 |
| Jackson Street..... | 91 |
| City clerk and assistants..... | 90 |
| City solicitor and assistants..... | 494, 549 |
| City Hall, custodian and employees, and care of..... | 95 |
| City and Suburban T. A..... | 486 |
| City Infirmary..... | 167 |
| City weigher..... | 533 |
| Clerk of Council and assistants..... | 491-493, 579 |
| Clifton town hall..... | 419 |
| Clutches, automatic..... | 384 |
| Coal-chute in Carter Alley..... | 94 |
| Coal, sale of, regulated..... | 93 |
| Coke, sale of, regulated..... | 93 |
| College Hill, water for..... | 455 |
| Concert-halls, regulation of..... | 26 |
| Conduits for Cincinnati Edison Electric Company..... | 121 |
| under Bank Street..... | 93 |
| over Station Avenue..... | 530 |
| Confetti, throwing of, in streets prohibited..... | 536 |
| Convict-made goods, labeling of..... | 92 |
| Corporation council (solicitor), department of..... | 171, 494 |
| certificate for improvement..... | 171 |
| Council, officers and members..... | 491-493, 532, 536 |
| duties, compensation, and bonds..... | 491-493, 532, 536, 569 |
| Covers over gutter, removal of..... | 164 |
| Creeks, protection of..... | 487 |
| Curbing, sandstone..... | 576 |
| Dance-halls, regulation of..... | 26 |
| Dangerous explosives, transportation of, through streets..... | 97 |
| Decorations, protection of..... | 146 |
| Detectives, private..... | 95 |
| in police department..... | 543 |

| | |
|---|--------------|
| Dirt in fills..... | 145 |
| District messenger business (Ord. 732)... | 113-117 |
| Disturbance of the peace, punishment for..... | 218 |
| Dogs | 96, 569-572 |
| Dynamite..... | 97 |
| Eighth-street viaduct..... | 439 |
| Electricity, restriction of use of streets (Ord. 4042)..... | 97 |
| price of, for power,..... | 516 |
| general terms and conditions (Ord. 4285)..... | 98-106 |
| acceptance of bid of Brush Electric Light Co. (March 5, 1890).. | 106 |
| acceptance of bid of Cincinnati Edison Electric Co. (May 13, 1892) | 107 |
| Cincinnati Gas and Electric Co. (Aug. 5, 1901) | 488 |
| discontinuance of gas-lighting directed under the above..... | 108 |
| Gilbert Avenue, lighting..... | 108 |
| changes in electric-lighting districts..... | 109 |
| lighting of Eden Park, Gilbert Avenue, and Windsor Street.. | 109 |
| Second District, lighting..... | 110 |
| Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth districts... | 111, 118 |
| grant to Cincinnati Gas Light and Coke Co..... | 112 |
| telephone, telegraph, district messenger, burglar-alarm, etc. } (Ord. 732)..... | 113-117 |
| lighting of Kenton-street bridge..... | 117 |
| Third and Fourth districts, territory added to..... | 119 |
| vault under Charles Street..... | 120 |
| franchise for conduits to Cincinnati Edison Electric Co..... | 121 |
| franchise for lines, poles, wires, etc., to Cincinnati Edison } Electric Co..... | 122 |
| Cincinnati Gas and Electric Co., recognition of rights of..... | 124 |
| specifications (new) for lighting by electricity..... | 125-141 |
| shifting of lights | 584 |
| Elevators | 67 |
| Engineers, stationary..... | 391 |
| Examiner of weights and measures..... | 457 |
| Exhibitions of hypnotism and mesmerism prohibited..... | 167 |
| Explosives, dangerous..... | 97 |
| Expressmen | 388, 434 |
| Express-wagons, stands for..... | 434 |
| Farmers | 388, 523 |
| Fences for advertising purposes..... | 88 |
| Fenders for street cars..... | 284 |
| Fees for building permits (see also license)..... | 89 |
| for licenses on trades, businesses, and professions..... | 554-559 |
| for bailbonds prohibited... .. | 206 |
| for vehicle license..... | 174 |
| for hotel solicitors..... | 388 |
| for itinerant photographers..... | 175 |
| for wharfage..... | 461-464, 535 |
| for hay weighed and inspected..... | 540 |

| | |
|--|--------------------|
| Fills, making of..... | 145 |
| Fires, kindling of, in streets..... | 142 |
| Fire-alarm business..... | 113-117 |
| Fire-escapes..... | 67, 141 |
| Firemen's pension fund and relief..... | 143, 145, 514 |
| Fire department, organization of..... | 144 |
| processions of..... | 538 |
| Fire-engines, right of way for..... | 141 |
| Fire-plugs, protection of..... | 90 |
| Fire Trustees to contract for telephone..... | 142 |
| Flags, protection of..... | 146 |
| Fort Washington monument..... | 148 |
| Fountains, watering, for man and beast..... | 146-148, 580 |
| Fountain, public drinking, Shannon & Soku..... | 528 |
| Franchise ordinances..... | 580 |
| Fuel gas..... | 160 |
| Funerals in markets..... | 193 |
| Furniture-cars, stands for..... | 434, 435 |
| Gamblers, punishment of..... | 218 |
| Garbage, vegetable, disposition of..... | 149-159, 529, 584 |
| supplemental contract..... | 541 |
| Gardeners in Sixth-street Market..... | 523 |
| Garfield statue..... | 159 |
| Garfield Place, assemblages in, prohibited..... | 159 |
| Gas, rights of Cincinnati Gas and Electric Co..... | 124 |
| bid of accepted..... | 488 |
| price regulated..... | 160 |
| conduits for, at Front and Rose streets..... | 161 |
| natural..... | 161 |
| fuel..... | 160 |
| Gasoline, handling of..... | 162 |
| sale of..... | 162 |
| contract for lighting by (contract abandoned)..... | 163 |
| Girls as waiters or bartenders..... | 18 |
| in ball-rooms, dance and concert-halls..... | 25 |
| Glass in streets..... | 413, 414 |
| Glenway Avenue Turnpike, purchase of..... | 582 |
| Globe Soap Company, guy-ropes for..... | 163 |
| Goats, sale of..... | 387 |
| Grade crossings..... | 330, 342, 355 |
| Gunpowder..... | 97 |
| Gutter-plates, use of, regulated..... | 164 |
| removal of..... | 164 |
| Hackmen..... | 388, 434, 435, 436 |
| Hackney-coaches, stands for, etc..... | 434, 436, 438 |
| Hay, weighing of loose..... | 165 |
| inspector and weigher of..... | 539 |
| Headlight oil, sale of, regulated..... | 162 |

| | |
|--|---------------|
| Health, Board of..... | 498, 535, 544 |
| Holroyd, Mary E., gift for flower-market..... | 183-185 |
| Hose-carts, right of way for..... | 141 |
| Hose-wagons, right of way for..... | 141 |
| Hospital, new, \$1,000,000 expense for..... | 552 |
| Hotels, solicitation for..... | 388, 389 |
| Houses, numbering of..... | 204, 532 |
| Hucksters..... | 388, 389 |
| Hydrants, public, protection of..... | 90 |
| Hypnotism. public exhibitions of, prohibited..... | 167 |
| Ice from dead bodies..... | 167 |
| Illustrations, obscene or immoral..... | 205 |
| Improvements, regulation of public..... | 171 |
| repeal of ordinance of February 6, 1874..... | 512 |
| Board of, repeal of ordinance..... | 172 |
| Inebriate asylum, bequest for..... | 170 |
| Infirmary, management of..... | 167-170 |
| Insecure buildings..... | 52 |
| Inspector of buildings..... | 52 |
| Inspector and weigher of hay..... | 539 |
| Interurban Railway and Terminal Co..... | 374-376 |
| Interterminal Railroad..... | 376-382 |
| Itinerant photographers..... | 175 |
| Juries, Police Court..... | 210 |
| Kids, sale of..... | 387 |
| Kilowatts of electricity, price of..... | 516 |
| Ladder-wagons, right of way for..... | 141 |
| Lambs, sale of..... | 387 |
| Laundry in Workhouse..... | 92 |
| Lawson Alley, travel in..... | 440 |
| Lease of poor-farm..... | 215 |
| Cincinnati street railroads..... | 290 |
| Library, Carnegie's gift..... | 583 |
| License fees, facilitation of collection of..... | 174 |
| on trades, business, and professions..... | 500-510 |
| court decisions upon..... | 510 |
| License for brokers in transportation tickets..... | 177 |
| building permits.. | 89 |
| drivers of vehicles..... | 435, 436 |
| for hotel solicitors..... | 388 |
| for itinerant photographers..... | 175 |
| for pawnbrokers..... | 178 |
| plumbing..... | 206 |
| for stable-keepers..... | 177 |
| for transient dealers..... | 176 |
| for vehicles..... | 174 |
| for traffic in tickets to theaters, etc..... | 178 |

| | |
|--|-------------------------|
| Lighting of streets by electricity..... | 488 |
| Lime, hauling of, regulated..... | 385 |
| Linwood town hall..... | 419 |
| Loitering, punishment for..... | 218 |
| Lots (vacant) uninclosed a nuisance..... | 432, 513 |
| Mails of United States, right of way for..... | 179 |
| Manure, hauling of, regulated..... | 385 |
| Markets, amendments to original ordinances..... | 180-183, 190, 522-524 |
| assignments of stands in..... | 182 |
| buildings and spaces for, latest amendments..... | 190, 522-524 |
| cleanliness, provisions for..... | 183, 199 |
| days and hours for (latest)..... | 523 |
| deportment in..... | 195 |
| fresh meat in quarters..... | 183 |
| Findlay Market..... | 490 |
| fresh meat and fish..... | 196 |
| funerals in..... | 193 |
| hawking in, unlawful..... | 188 |
| Elliott flower..... | 183-185 |
| music in..... | 188-195 |
| noises for advertising purposes in..... | 188 |
| outcry in, unlawful..... | 188 |
| poultry, dressed domestic..... | 192 |
| rents of stalls and benches..... | 195, 198-200 |
| Lower (Pearl-street), sale of old house..... | 189 |
| provisions for new house..... | 189, 190, 191 |
| width of roadway for..... | 193 |
| Northside Market Company..... | 193 |
| Sixth-street, sale of old house in..... | 189 |
| regulation of..... | 196 |
| provisions for new house in..... | 189 |
| sale of live poultry in..... | 197 |
| spaces of and regulation for..... | 186, 187, 188, 196, 522 |
| Wade-street building..... | 196, 489, 490 |
| Mayor's office, organization of..... | 497 |
| Mesmerism, public exhibitions of, prohibited..... | 167 |
| Milk-wagons regulated..... | 200 |
| Milk, sale of, regulated..... | 200, 201 |
| Minors in ball-rooms and dance- and concert-halls..... | 26 |
| getting on or off cars in motion..... | 255, 283, 553 |
| under fifteen years, smoking tobacco..... | 419 |
| under eighteen years, driving teams in streets..... | 438 |
| playing slot machines..... | 513 |
| sale of pistols to..... | 528 |
| Misdemeanors, amendment of original ordinance (see various subjects) | 218 |
| Monument, Fort Washington..... | 148 |
| Garfield..... | 159 |

| | |
|--|--------------|
| Music in markets..... | 195 |
| halls, tickets to..... | 178 |
| in Eden Park, Schmidlapp gift..... | 202 |
| Nails in streets..... | 413, 414 |
| Names of streets..... | 392-412, 579 |
| Nitro-glycerine..... | 97 |
| Notice clerks of Council..... | 493, 536 |
| Numbering of houses..... | 204, 532 |
| Offal (animal), removal of..... | 149-159 |
| Opera-houses, construction of..... | 74-86 |
| tickets to..... | 178 |
| Outdoor poor, relief of..... | 167-170 |
| Paper, sweepings into streets..... | 413 |
| throwing into streets..... | 536 |
| Parades, protection of..... | 205 |
| regulation of..... | 538 |
| Park, music in Eden..... | 202 |
| university in Burnet Woods..... | 427 |
| automobiles in..... | 26 |
| Pawnbrokers, license of..... | 178 |
| Peddlers..... | 388 |
| Penitentiary-made goods, labeling of..... | 92 |
| Personal property, sale of..... | 511 |
| Peters, Johanna, bequest of..... | 170 |
| Photographers, itinerant..... | 175 |
| Pickpockets, punishment of..... | 218 |
| Pictures, unbecoming, obscene, or immoral..... | 205 |
| Pipes for heating in St. James Avenue..... | 390 |
| Times-Star Co., Sixth Street..... | 391 |
| Barron-Boyle Co..... | 427 |
| Rheinstrom, Bettman, Johnson & Co..... | 517 |
| right to lay, by Thomas A. Quill..... | 488 |
| across Produce Alley..... | 582 |
| beneath Elm Street..... | 559 |
| Plumbing..... | 206 |
| Police Court, jurors..... | 210 |
| interpreter of..... | 206 |
| additional deputies of, and duties..... | 206 |
| fines, penalties, and forfeitures..... | 207-209 |
| fees for bailbonds prohibited..... | 207 |
| summons to court in certain cases..... | 208 |
| salaries..... | 211 |
| Police department, organization of..... | 214, 543 |
| Policemen, private..... | 96 |
| Police, processions of..... | 538 |
| Police relief fund..... | 212, 514 |
| Polling-houses, protection of..... | 215 |

| | |
|---|---------------|
| Poor-farm, lease of..... | 215 |
| Poor, relief of outdoor..... | 167-170 |
| Porter-houses, regulation of..... | 18 |
| Posting of bills, pictures, and illustrations..... | 205 |
| Power, safety attachments for..... | 384 |
| Prison-made goods, labeling of..... | 92 |
| Processions, regulation of..... | 538 |
| Produce, sale of, regulated..... | 216, 217 |
| Professions, license on..... | 500-510 |
| Prostitutes, common, punishment of..... | 218 |
| Protection of police patrol service..... | 211 |
| of polling-houses..... | 215 |
| of parades..... | 205 |
| of cisterns, hydrants, and fire-plugs..... | 90 |
| of decorations..... | 146 |
| of flags..... | 146 |
| Public improvements..... | 171, 172, 512 |
| Public meetings in Garfield Place..... | 159 |
| Punishment for certain crimes and misdemeanors..... | 218 |
| Queen-City Natural Gas and Fuel Co..... | 161 |
| Box Co., track..... | 518 |
| Quill, Thomas A.. right to lay pipes..... | 488 |
| Railroad ticket broker's license..... | 177 |
| RAILROADS (STREET): Cincinnati and Clifton Division..... | 236 |
| Cincinnati and Eastern Electric Railway Co..... | 374 |
| Cincinnati and Suburban Electric Co..... | 251-253 |
| Cincinnati Traction Co..... | 290 |
| change of Mulberry Route..... | 290 |
| change of Third- and Fifth-street Route..... | 547 |
| amendment of Clause 8, Section 18, General Ordinance..... | 279 |
| Sections 1 and 2..... | 286 |
| Section 11..... | 287 |
| extension of and electric system for Route 2, Newport & } Cincinnati Co..... } | 244 |
| for Route 2..... | 234, 260 |
| for Route 5..... | 236 |
| for Route 9..... | 230, 246 |
| for Route 13..... | 222 |
| for Route 18..... | 225 |
| for Eighth-street Route..... | 544-547 |
| fenders for all electric and cable cars..... | 284 |
| forfeiture in Cincinnati and Spring-Grove-avenue Route..... | 280 |
| guards to cable cars..... | 221 |
| heating of closed cars required..... | 276 |
| intersecting streets, watchmen at..... | 254 |
| Interurban Railway and Terminal Co..... | 374-376 |
| illuminated signs for cars required..... | 285 |

| | |
|---|---------------|
| Railroads (Street): lease of..... | 290 |
| minors not to get on or off cars in motion..... | 255, 283, 553 |
| Mulberry Route changed..... | 290 |
| obstruction of roads unlawful..... | 283, 288 |
| one per cent of gross receipts..... | 288 |
| open cars in summer required..... | 277 |
| payment of dues on cars (latest)..... | 286, 287, 288 |
| removal of Liberty-street tracks..... | 282 |
| Routes 7 and 5, repealing ordinance of..... | 265 |
| Route 23 established, grant of..... | 232, 242, 256 |
| Route 24 established, grant of..... | 242, 251 |
| Route 25 established, grant of..... | 266, 281 |
| safety guards for cable cars..... | 221 |
| for all cars..... | 255 |
| signs, illuminated..... | 485 |
| Spring-Grove Avenue, extension of..... | 220 |
| South Covington & Cincinnati line over portion of Route 9.. | 230 |
| stoppage signs for cable and electric cars..... | 229 |
| supplement and amendment to Clause 8, Section 18, General Ordinance..... | 278, 279 |
| time for running cars and intervals between..... | 277, 278, 279 |
| Dorchester-avenue tracks..... | 580 |
| track across Eastern Avenue..... | 530 |
| watchmen required at Fifth and Walnut streets..... | 222 |
| at Gilbert Avenue and McMillan Street..... | 243 |
| at Court Street and Broadway..... | 253 |
| at Sixth Street and Broadway..... | 253 |
| at Sixth and Walnut streets..... | 253 |
| at Fifth and Walnut streets..... | 253 |
| at Elder and Vine streets..... | 254 |
| at Elder and Elm streets..... | 254, 282 |
| at Fifth Street and Broadway..... | 253 |
| at Rookwood and Delta stations..... | 254 |
| at Freeman Avenue and Liberty Street..... | 283 |
| RAILROADS (STEAM): Cincinnati Southern, vote on proposition } | |
| for sale of..... | 579 |
| safety gates for, at Third Street and Eggleston Avenue..... | 291 |
| at Fifth Street and Eggleston Avenue..... | 291 |
| at Harrison-avenue crossing..... | 299 |
| at intersection of McLean Avenue and Liberty Street..... | 300 |
| at Beekman-street crossing..... | 304 |
| track elevation and subways..... | 382 |
| tracks for C. H. & D. Railroad across Freeman Avenue..... | 291 |
| across Evans Street..... | 298 |
| across Cherry Street..... | 346 |
| across Powers Street..... | 347 |
| grade crossings, Harrison Avenue..... | 342 |

Railroads (Steam):

| | |
|---|--------------------|
| C. C. C. & St. L. Railway across Sixth Street, west of Carr.... | 303 |
| across Harriet Street, north of Sixth..... | 330 |
| across Central Avenue (four tracks)..... | 336 |
| across Pearl and Plum streets. | 347 |
| across Sixth Street, west of Carr Street..... | 349, 351 |
| P. C. C. & St. L. Railway in Vine Street south of Front.... | 306 |
| in Water Street, west from Walnut..... | 314 |
| in Second and Front streets... .. | 318 |
| in Lawrence Street..... | 318 |
| in Butler Street (two tracks) | 328 |
| in Front and Elm streets..... | 352 |
| in Front Street, between Central Avenue and Plum Street.. | 561 |
| in Front and Smith streets..... | 576 |
| in Eggleston Avenue..... | 254, 361, 521, 562 |
| across Niagara Street (also L. M. Railroad)..... | 357 |
| in Water Street, between Main and Walnut | 357 |
| for Globe Rolling Mill Co., repeal..... | 258 |
| in Water Street, west of Central Avenue..... | 359 |
| in Water Street, west of Walnut Street..... | 360 |
| in Water Street, east of Walnut..... | 551 |
| grade crossings..... | 355 |
| B. & O. S. W. Railway in Second and John streets..... | 310 |
| in Front Street..... | 340 |
| grade crossing, Harrison Avenue..... | 342 |
| crossing Queen-City Avenue..... | 341 |
| at Front and Mill streets. | 343, 344 |
| across Park Alley..... | 344 |
| in Park Street..... | 331 |
| across Central Avenue (four tracks)..... | 334 |
| in Valley and Lilac streets, etc..... | 337 |
| in Marshall Avenue and intersecting streets | 337 |
| across Smith Street, north of Second..... | 560 |
| Louisville & Nashville Railroad Co., extension..... | 564-568 |
| Austin Pressed Brick and Tile Co..... | 524 |
| Chicago, Cincinnati & Louisville (Cin. & Ind. West)..... | 370-374 |
| Cincinnati Interterminal Railroad..... | 376-382 |
| Cincinnati & Indiana Western Railroad Co..... | 366-370, 370-374 |
| Cincinnati Northwestern Railway Co..... | 362, 364 |
| Cincinnati & Westwood Co..... | 365 |
| Cincinnati (Lebanon) & Northern R. R. Co..... | 322, 326, 520 |
| Cincinnati, New Orleans & T. P. (McLean Avenue with turnouts) | 344 |
| Flint and Wade streets..... | 526 |
| Water Street..... | 521 |
| S. Obermayer Co., across Evans Street, south of Eighth..... | 293 |
| Hall's Safe and Lock Co., across Central Avenue..... | 294 |
| Lane & Bodley Co., in John Street, south of Water..... | 295 |

Railroads (Steam):

| | |
|---|------------------------------|
| Superior W. P. & M. Co., in McLean Avenue, south of Gest .. | 301 |
| John B. Morris Foundry Co., across New Court Street..... | 302 |
| Kineon Coal Co., Smith Street (elevated double track)..... | 305 |
| Kruse & Bahlman Co..... | 421 |
| Queen-City Box Co..... | 518-520 |
| American Tool Works Co..... | 421 |
| watchmen required at Harrison and Queen-City avenues..... | 293 |
| at Liberty-street crossing of McLean Avenue..... | 298, 300 |
| at Harrison-avenue crossing of C. & W. Railroad Co..... | 299 |
| at Beekman-street crossing of C. & W. Railroad Co..... | 304 |
| wall or iron fence required between tracks and roadway of } | |
| east Front Street..... | 292 |
| obstruction by locomotives or cars of Eastern Avenue at Rook- } | |
| wood or Delta prohibited..... | 297 |
| P. C. C. & St. L. Railway Co., wires on Eastern Avenue..... | 327 |
| stoppage of vehicles and street cars at crossings..... | 330 |
| grade crossings, to abolish..... | 342, 355, 382 |
| Harrison Avenue..... | 342 |
| along line of P. C. C. & St. L. Railroad..... | 355 |
| minors getting on or off cars..... | 255, 553 |
| Reduction (Cincinnati) Co..... | 151, 541 |
| Repair of sidewalks..... | 512 |
| Right of way in streets..... | 413, 548 |
| River, protection of..... | 384, 487 |
| Ropes, inspection of..... | 87 |
| Safety, Board of Public..... | 172, 510, 511, 512, 542 |
| Safety attachments for power..... | 384 |
| Salaries of officers..... | 173 |
| Public, directors of (Service and Safety)..... | 172, 173 |
| Salvage-corps wagon, right of way for..... | 141 |
| Sawdust, hauling of, regulated..... | 385 |
| Scales in streets..... | 385, 386, 549, 550, 574, 578 |
| patent spring balance..... | 386 |
| Scalpers | 177 |
| Schmidlapp gift for music..... | 202 |
| Schorr Alley, regulating use of..... | 574 |
| Sergeant-at-arms and assistant..... | 387, 492 |
| Service, Public, directors of..... | 172 |
| Service, Board of Public, a Board of Health..... | 535 |
| Sheep, sale of..... | 387 |
| Shops (liquor)..... | 18 |
| Sidewalks, construction of..... | 512 |
| Signaling business..... | 113-117 |
| Signs | 572 |
| Sinking Fund, Board of Trustees of..... | 498, 499, 517, 542 |
| Slot machines | 513 |

| | |
|--|------------------------------|
| Smoke, to regulate emission of..... | 495 |
| Smoking of tobacco by minors..... | 419 |
| Solicitor's office..... | 171, 494, 549 |
| Soliciting of trade..... | 388, 389 |
| Spring balance scales..... | 386 |
| Sprinkling of streets..... | 28 |
| Stable-keepers' license..... | 177 |
| Standard time..... | 418 |
| Statue, Garfield..... | 159 |
| Stationery storekeeper, City Hall..... | 90 |
| Stationary engineers..... | 391 |
| Straw, sale of..... | 540 |
| Steamboat loads of produce..... | 216 |
| Steamship ticket brokers..... | 177 |
| Steam-whistles, blowing of, prohibited..... | 464 |
| Storm-doors (see Vestibule)..... | 531 |
| Stores, temporary..... | 176 |
| Streets, names of..... | 392-412, 579 |
| parades in..... | 538 |
| protection of..... | 413 |
| right of way in..... | 413, 548 |
| Subways..... | 382, 383, 425, 426, 548, 563 |
| Superintendent of track elevation..... | 382 |
| Supervising engineer's department..... | 495 |
| Suspicious persons..... | 218 |
| Sweepings into streets..... | 413 |
| Taverns, regulation of..... | 18 |
| Telegraph, City and Suburban..... | 486 |
| business..... | 113-117 |
| Ohio T. & T. Co..... | 415-418 |
| Telephone business..... | 113-117, 486 |
| for fire department..... | 142 |
| Tenement-houses..... | 48 |
| Theatrical exhibitions..... | 178, 414 |
| Theaters, construction of..... | 74-86 |
| tickets to..... | 178, 414 |
| Thieves, punishment of..... | 218 |
| Thoms, Matthew H., devise of..... | 431 |
| Time, central standard..... | 418 |
| Time-table for street-lighting..... | 583 |
| Tobacco, smoking of, by minors..... | 419 |
| Torpedo canes..... | 528 |
| Town halls, management and control of those of annexed villages..... | 419 |
| Township lines..... | 584-587 |
| Toy pistols, etc..... | 528 |
| Track elevation..... | 342, 355, 382, 383, 563 |
| Trade, solicitation of..... | 388 |

| | |
|--|-------------------|
| Trades, license on..... | 500-510 |
| Tramways..... | 421 |
| Transient dealers..... | 176 |
| Treasurer, city, office of..... | 24, 241, 422, 579 |
| Trick games, punishment for..... | 218 |
| Tunnel under Pleasant Street..... | 424 |
| Harrison Avenue..... | 425 |
| Margaret Alley..... | 427 |
| Lawnway Avenue..... | 425 |
| Shillito Place..... | 426 |
| German Alley..... | 45 |
| United States mails, right of way for..... | 179 |
| University of Cincinnati in Burnet-Woods Park..... | 427 |
| devise of Matthew H. Thoms for..... | 431 |
| bonds for..... | 432 |
| Vacant lots, nuisance of..... | 432, 513 |
| Vagrancy, punishment of..... | 218 |
| Vault under Charles Street..... | 120 |
| Vegetable garbage, disposition of..... | 149-159, 584 |
| matter in Ohio River..... | 384 |
| Vehicles, license and stands for, etc..... | 434-440 |
| age limit as to drivers of..... | 438 |
| badges for drivers of..... | 435 |
| facilitation of collection of license for..... | 174 |
| licenses for..... | 435, 436 |
| rights and conduct of licensed drivers of..... | 436 |
| right of way in streets..... | 413, 548 |
| stands for..... | 434, 435 |
| viaduct, Eighth-street, driving on..... | 439 |
| at railroad crossings..... | 330 |
| Ventilation of cellars and basements..... | 51 |
| Vestibules, Ingalls Building..... | 531 |
| Traction Building..... | 569 |
| Wagon-scales in streets..... | 385, 386 |
| Wards, boundaries of..... | 17, 441-454, 455 |
| Watchmen, private (see also street and steam railroads)..... | 95 |
| Watercourse, protection of..... | 487 |
| Water, unnecessary waste of..... | 487 |
| for College Hill..... | 455 |
| Watering-fountains for man and beast..... | 146-148, 580 |
| Weeds..... | 513 |
| Weigher, city..... | 533 |
| Weights and measures..... | 457, 533 |
| Weighing of loose hay..... | 165, 539 |
| coal..... | 93 |
| Westwood town hall..... | 419 |

| | |
|---|--------------|
| Wharfage and Wharfmaster..... | 458-464 |
| wharfage, fees for..... | 461-464, 535 |
| receipts and expenditures regulated..... | 459 |
| revenue to be credited to General Fund..... | 460 |
| Wharfmaster, appointment of..... | 458 |
| messenger for..... | 459 |
| assistant to..... | 460 |
| Wharf-register, office of, abolished..... | 458 |
| Whistles (steam), blowing of, prohibited..... | 464 |
| Wire in streets..... | 414 |
| Wires, unauthorized laying of..... | 465 |
| for American Cab Co..... | 485 |
| for American Oak Leather Co..... | 473 |
| for Arctic Ice Co..... | 482 |
| for Becker, A..... | 478 |
| P. C. C. & St. L. Railroad in Eastern Avenue..... | 327 |
| for Buckeye Brewery.. | 473, 474 |
| for Butler, Joseph C. (repealed)..... | 483 |
| for City and Suburban Telegraph Association..... | 486 |
| for Cohen & Co..... | 480 |
| for Davis & Egan Machine Tool Co..... | 467 |
| for Dalton, Daniel J..... | 479 |
| for Emerys..... | 481 |
| for Gambrinus Stock Co..... | 471 |
| for Heekin, James..... | 478 |
| for Hudepohl & Kotte..... | 473, 474 |
| for Jung Brewing Co..... | 475 |
| for Kaufman Brewing Co..... | 472 |
| for Kreiss, Henry J..... | 477 |
| for Moerlein Brewing Co..... | 469, 470 |
| for Reuter, Wm. G..... | 466 |
| for Rheinstrom, Bettmann, Johnson & Co..... | 465 |
| for Roth Packing Co..... | 468 |
| for Sauerston & Brown..... | 481 |
| for Schmidt & Shaffer..... | 472 |
| for Schopper, F. D..... | 477 |
| for St. Clair Cab and Mounted Messenger Co..... | 484 |
| for United States Printing Co..... | 468, 469 |
| for Wilmer Building Co..... | 483 |
| for Windisch-Muhlhauser Brewing Co..... | 476, 516 |
| Women as waiters or bartenders..... | 18 |
| Workhouse | 92 |
| Zoological Garden, annexation of, to Thirty-first Ward..... | 6 |
| proposition for purchase of, and vote on same..... | 487 |

GENERAL ORDINANCES

1887-1905

(March 6th)

CITY OF CINCINNATI

GENERAL ORDINANCES.

NO. 127. Passed October 2, 1891.

To annex territory to the Twenty-eighth Ward.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the annexation to the city of Cincinnati of the territory hereinafter described to be a part of the Twenty-eighth Ward is hereby authorized, viz.: That part of Section 15 in Millcreek Township, Hamilton County, Ohio, beginning at the intersection of the east line of Carthage Turnpike, with the south line of Section 15, thence west with the south line of Section 15 to the middle of the Carthage Turnpike, thence northwardly along the middle of the Carthage Turnpike to the south line of Fisher Avenue, thence eastwardly with the south line of Fisher Avenue to the east line of Carthage Turnpike, thence southwardly with the east line of Carthage Turnpike to the south line of Section 15, the place of beginning, being the east one half of the said Carthage Turnpike, from the south line of Section 15 to Fisher Avenue.

SEC. 2. That the corporation counsel is hereby authorized to prosecute the proceedings necessary to effect such annexation.

NO. 822. Passed August 10, 1894.

Declaring the intention of the City of Cincinnati to annex the contiguous municipal corporations of Avondale, Clifton, Linwood, Riverside, and Westwood to the corporate limits of said city.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That its intention is hereby declared to annex to the corporate limits of the city of Cincinnati the following

municipal corporations lying within the county of Hamilton, and located contiguous to the said city of Cincinnati, viz.: The villages of Avondale, Clifton, Linwood, Riverside, and Westwood, according to their respective boundaries as now established by law and the records of Hamilton County, to which reference is hereby made for a more particular description.

SEC. 2. That upon the passage of this ordinance it shall be the duty of the mayor of the city of Cincinnati to cause this ordinance to be published once a week for four consecutive weeks in two newspapers published and of general circulation in Hamilton County; and if there be any objection to or remonstrances against the proposed annexation, the same shall be filed with the clerk of the Board of Legislation of said city, and said clerk shall present the same at the next regular meeting of the board, and the board will hear all objections and remonstrances, and finally determine the same by ordinance.

NO. 830. Passed September 21, 1894.

Disposing of the objections to and remonstrances against the annexation of the municipal corporations of Avondale, Clifton, Linwood, Riverside, and Westwood to the corporate limits of the City of Cincinnati.

Whereas, On the 10th day of August, 1894, an ordinance was passed by the Board of Legislation of the city of Cincinnati declaring the intention of said city to annex the municipal corporations of Avondale, Clifton, Linwood, Riverside, and Westwood to the corporate limits of the city of Cincinnati; and

Whereas, The mayor of the city of Cincinnati has caused said ordinance to be published once a week for four consecutive weeks in two newspapers published and of general circulation in the county of Hamilton; and

Whereas, Certain objections to and remonstrances against the proposed annexation have been filed with the clerk of the Board of Legislation of the city of Cincinnati, and by said clerk presented to said board at its next regular meeting; and

Whereas, Said board is now fully advised of the reasons presented against the annexation of said municipal corporations,

and has heard all persons desiring to be heard on said subject :
Now, therefore—

SEC. 1. *Be it ordained by the Board of Legislation of Cincinnati*, That in the opinion of said board the objections to the annexation of the municipal corporations of Avondale, Clifton, Linwood, Riverside, and Westwood to the corporate limits of the city of Cincinnati, and the remonstrances against the same, do not constitute valid objections to said annexation, and this board hereby determines that the same are not well taken.

NO. 841. Passed October 5, 1894.

To annex the contiguous municipal corporations of Avondale, Clifton, Linwood, Riverside, and Westwood to the corporate limits of the City of Cincinnati, and to fix the time for holding an election to determine whether said municipalities shall be annexed.

Whereas, On the 10th day of August, 1894, an ordinance was passed by the Board of Legislation of the city of Cincinnati, declaring the intention of said city to annex the municipal corporations of Avondale, Clifton, Linwood, Riverside, and Westwood to the corporate limits of the city of Cincinnati under and by virtue of certain acts of the General Assembly of the State of Ohio ; and

Whereas, The mayor of the city of Cincinnati on the 21st day of August, 1894, caused said ordinance to be published once a week for four consecutive weeks in two newspapers published and of general circulation in the county of Hamilton ; and

Whereas, Certain objections to and remonstrances against the said proposed annexation were filed with the clerk of the Board of Legislation of the city of Cincinnati, and thereafter presented to said board for consideration ; and

Whereas, The said board at its next regular meeting, after due notice, heard said objections and remonstrances, and determined that the same were not well taken : Now, therefore—

SEC. 1. *Be it ordained by the Board of Legislation of Cincinnati*, That the municipal corporations of Avondale, Clifton, Linwood, Riverside, and Westwood are hereby annexed to the

city of Cincinnati, subject to the election provided for by law ; and the time for holding said election to determine whether said municipalities shall be annexed is hereby fixed on Tuesday, the 6th day of November, 1894.

SEC. 2. That all ordinances inconsistent herewith be and the same are hereby repealed.

NO. 43. Passed July 6, 1897.

Annexing certain territory to the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That the annexation to the city of Cincinnati of the territory hereinafter described be and the same is hereby authorized.

Tract No. 1—Beginning at the northeast corner of Section No. 3 of Millcreek Township; thence south along the west line of Section No. 3, Millcreek Township, a distance of six hundred feet ; thence east a distance of four hundred and thirty-one and thirty-eight hundredths feet ; thence south a distance of five hundred and fifty-eight feet ; thence east a distance of three hundred and seventy-two feet, more or less, to the west line of C. C. Bragg's 50.75-acre tract ; thence south along said west line, being the present corporation line of the city of Cincinnati, a distance of eighteen hundred and twenty-eight feet, more or less, to the south line of C. C. Bragg's 50.75-acre tract ; thence east along said south line a distance of eight hundred and nine and sixteen hundredths feet to the east line of C. C. Bragg's 50.75-acre tract ; thence north along said east line to the north line of said C. C. Bragg's 50.75-acre tract, being the north line of Section 3, Millcreek Township, and the corporation line of the city of Cincinnati ; thence west along said north line of Section 3, Millcreek Township, and the corporation line of the city of Cincinnati to the northeast corner of Section 3, Millcreek Township, and the place of beginning.

Tract No. 2—Beginning at a point in the east line of Reading Road, where the same intersects the south line of Section 10,

Millcreek Township, being the present corporation line of the city of Cincinnati; thence northeast along the northeast line of Reading Road to a point north of Hopkins Avenue, directly opposite the line that divides lots 23 and 22 and 20 and 21 of Joseph W. Blachley's farm subdivision; thence northwest crossing the Reading Road and continuing on said lot - line before described to Blachley Avenue; thence in a westerly and southerly direction along the northeast line of Blachley Avenue to the southwest side of Paddock Road; thence south along the southwest side of Paddock Road to a point, said point being 220 feet from the west line of Reading Road at right angles; thence southwest following the dividing line between lots 33 to 39 and 23 to 30 of Rose-Hill Park Subdivision, Avondale, by Robert Mitchell, to the south line of Section 10, Millcreek Township, and the corporation line of the city of Cincinnati; thence east along the south line of Section 10, Millcreek Township, and the corporation line of the city of Cincinnati to the east line of the Reading Road, the place of beginning, and the corporation line of the city of Cincinnati.

SEC. 2. That the corporation counsel of the city of Cincinnati is hereby authorized to prosecute the proceedings necessary to effect such annexation.

NO. 470. Passed May 7, 1900.

Declaring the determination of the Board of Legislation of the City of Cincinnati to annex to the corporate limits of said city certain territory within the limits of Hamilton County, Ohio, in pursuance of an act entitled "An act to authorize cities of the first grade of the first class to annex contiguous and adjacent territory comprising various political subdivisions of the county in which such city shall be situate," passed by the 74th General Assembly of the State of Ohio. [Repealed by Ordinance No. 472, passed May 21, 1900.]

[This territory included Evanston, Hyde Park, Norwood, Delhi, Fernbank, Home City, Bond Hill, Carthage, College Hill, Elmwood Place, St. Bernard, Winton Place, Arlington Heights, Hartwell, Lockland, Wyoming, Reading, Pleasant Ridge, Addyston, and Oakley.]

NO. 621. Passed February 25, 1901.

To annex territory to the Thirty-first Ward.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the territory bounded and described as follows, to-wit: That part of Section 15, formerly in Millcreek Township, Hamilton County, Ohio, and formerly within the limits of the village of Avondale in said county, and formerly a part of the Twenty-eighth Ward, and more particularly described as follows: commencing in the south line of said Section 15 at a point which is the southeast corner of the Zoological Gardens; thence along the east line of the Zoological Gardens northwardly to Forest Avenue; thence westwardly along said Forest Avenue to the west line of Cincinnati and Spring-Grove Narrow-gauge Railroad; thence northwardly along the said west line of said railroad with the courses and distances thereof as projected and partly constructed to the easterly line of the Carthage Turnpike; thence southwardly along the said easterly line of the Carthage Turnpike with the courses and distances thereof to the said south line of Section 15; thence eastwardly along said south line of Section 15 to the place of beginning,—be and the same is hereby annexed to and made a part and parcel of the Thirty-first Ward of the said city of Cincinnati.

SEC. 2. All ordinances and parts of ordinances heretofore passed that are inconsistent with the provisions of this ordinance be and the same are hereby repealed.

NO. 741. Passed October 14, 1901.

Annexing certain territory to the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the annexation to the city of Cincinnati of the territory hereinafter described be and the same is hereby authorized: Commencing at the northeast corner of Section 6, Delhi Township; thence west along the north lines of Sections 6 and 12 of said township to a point midway between the east

and west lines of Section 12, said point being the half section line; thence south on a straight line along said half section line and a road west of St. Joseph's cemetery to the south line of Section 12 and the Foley Road; thence east along the south lines of Sections 12 and 6 to the east line of Section 6; thence north along the east line of Section 6 to the place of beginning.

SEC. 2. That the corporation counsel of the city of Cincinnati is hereby authorized to prosecute the proceedings necessary to effect such annexation.

[NOTE.—Annexation accepted by Ordinance No. 836, passed April 28, 1902, and completed by clerk's certification May 5, 1902; and this territory annexed to (then) Twenty-ninth Ward by Ordinance No. 851, passed June 2, 1902.]

NO. 935. Passed September 23, 1902.

Authorizing the annexation of contiguous territory to the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the annexation to the city of Cincinnati of the territory hereinafter described and indicated on plat hereto attached, to be part of the Thirty-first Ward, be and the same is hereby authorized, to-wit: Commencing in the east corporation line of the city of Cincinnati where the north line of Mitchell Avenue intersects the center line of Carthage Pike; thence southwardly along said eastern corporation line and center of Carthage Pike to the south line of Section 16, Millcreek Township, and the north corporation line of Cincinnati; thence eastwardly along the south lines of Sections 16 and 10 to a point in the south line of said Section 10 where the corporation line of the city bears northwardly; thence northwardly along the corporation line of the city through the Rose-Hill Park Subdivision to Paddock Road; thence northwestwardly along the corporation line and the west line of Paddock Road and the west line of lot No. 11, Blachley's farm, to the points of intersection of lots Nos. 17, 18, and 11, Blachley farm; thence west on the south line of lots Nos. 16 and 17, Blachley farm,

to the southwest corner of lot No. 16, Blachley farm; thence north on the west line of lots Nos. 16 and 35, Blachley farm, where said line meets the corporate limits of the village of St. Bernard, which is the northwest corner of the Blachley farm: all the foregoing description along the Blachley-farm property being the southwest boundary line of the village of Bond Hill; thence west and south along the corporation line of St. Bernard to Mitchell Avenue; thence west on Mitchell Avenue and south corporation line of St. Bernard to the place of beginning.

SEC. 2. That the corporation counsel is hereby authorized to prosecute the proceedings necessary to effect such annexation.

[NOTE.—Injunction proceedings commenced April 7, 1903, and temporary restraining order issued.]

NO. 943. Passed October 13, 1902.

Authorizing the annexation of contiguous territory to the City of Cincinnati, to be part of the Thirty-first Ward.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the annexation to the city of Cincinnati of the territory hereinafter described and indicated on the plat hereto attached, to be part of the Thirty-first Ward, be and the same is hereby authorized, to-wit: Beginning at a point where the north corporation line of Evanston intersects the east corporation line of the city of Cincinnati, north of Langdon Avenue; thence east along the north corporation line of Evanston to the west corporation line of Norwood; thence northwardly, following the west corporation line of Norwood, to a point where said line extends westwardly to the Reading Road; thence west with the south line of said extension of the corporation line of Norwood to the Reading Road; thence northeastwardly along the corporation line of Norwood, following the line of Reading Road, to a point where the corporation line extends eastwardly from the Reading Road; thence eastwardly with said corporation line to a point where the said corporation line extends northwardly; thence northwardly,

eastwardly, and northwardly, following the west corporation line of Norwood, to the north line of Section 4, Millcreek Township; thence west along the south line of Section 4, Millcreek Township, to the east corporation line of Bond Hill, being the west line of Reading Road; thence southwestwardly with the west line of Reading Road, being along the southeast corporation line of the village of Bond Hill, to the north corporation line of the city of Cincinnati; thence southeastwardly along the corporation line of the city of Cincinnati to the southeasterly side of Reading Road; thence southwest along the southeast line of Reading Road to the south line of Hopkins Avenue; thence east along the south line of Hopkins Avenue to the east corporation line of the city; thence south along the east corporation line of the city to a point where the north corporation line of Evanston intersects the east corporation line of the city of Cincinnati, north of Langdon Avenue, the place of beginning.

SEC. 2. That the corporation counsel is hereby authorized to prosecute the proceedings necessary to effect such annexation.

[NOTE.—Annexation accepted by Ordinance No. 147, passed September 21, 1903.]

NO. 973. Passed November 17, 1902.

Authorizing the annexation of contiguous territory of Millcreek Township.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the territory hereinafter described be and the same is hereby annexed to the city of Cincinnati, to-wit: Commencing at the intersection of Mill Creek (the same being the present west corporation line of the city of Cincinnati) with the south line of Section 27, Millcreek Township; thence west along the south line of Section 27, Millcreek Township, to the west line of said section; thence north along the west line of Sections 27 and 28, Millcreek Township, to the West Fork Creek (the same being the present corporation line of Cincin-

nati); thence along the West Fork Creek, the present corporation line, to Mill Creek; thence along Mill Creek to the place of beginning.

SEC. 2. That the corporation counsel is hereby authorized to prosecute proceedings necessary to effect such annexation.

[NOTE.—Injunction proceedings commenced April 13, 1903.]

NO. 1030 Passed February 2, 1903.

Authorizing annexation to the City of Cincinnati of certain contiguous territory east and west of the Little Miami River.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the annexation to the city of Cincinnati of the territory hereinafter described be and the same is hereby authorized: Beginning at the intersection of the corporation line of the city of Cincinnati and the west bank of the Little Miami River; thence with said corporation line extended eastwardly to the east bank of the Little Miami River; thence following said east bank to its intersection in survey 1723 with the southwestern boundary line of the corporation of Mt. Washington; thence along the southern corporation line of said village of Mt. Washington to its intersection with the west side of Sutton Street; thence southerly with the west line of Sutton Street and the west line of Three-mile Road to the southerly line of New Richmond Pike; thence westwardly with said southerly line 1,500 feet, more or less, to a point in the easterly line of the Devore property; thence southwest along said easterly line of the Devore property and the easterly line of the Alex. Koehler tract of land, 22.13 acres, to the low-water mark of the north bank of the Ohio River; thence following the low-water mark of said Ohio River in a northwesterly direction to the corporation line of the city of Cincinnati; thence northeast along said corporation line to the place of beginning.

SEC. 2. That the corporation counsel of the city of Cincinnati is hereby authorized to prosecute the proceedings necessary to effect such annexation.

[NOTE.—Pending before the county commissioners.]

NO. 1031. Passed February 9, 1903.

To submit to the voters the question of annexation of the Village of Hyde Park, Ohio, to the City of Cincinnati, Ohio.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the question of the annexation of the incorporated village of Hyde Park, Ohio, to the city of Cincinnati be submitted to the qualified voters of the city of Cincinnati, Ohio, at the annual election on April 6, 1903.

SEC. 2. That those in favor of such annexation shall deposit in the ballot-box provided for such purpose a ballot containing the words: "Annexation of the village of Hyde Park to the city of Cincinnati, yes;" and those who are opposed to such annexation shall deposit in such box a ballot containing the words: "Annexation of the village of Hyde Park to the city of Cincinnati, no."

SEC. 3. A separate ballot-box shall be provided in each voting-precinct of every ward for the reception of the votes upon this question, and the votes shall be counted and returned to the proper officer in the same manner that votes are counted and returned at elections for city officers; and the city clerk is hereby directed to publish this ordinance in a newspaper of general circulation in the city of Cincinnati at least twenty days prior to the date of such election, and he is further directed to publish this ordinance in the Hyde Park Vim, a newspaper of general circulation in the village of Hyde Park, for at least twenty days prior to such election.

NO. 164. Passed September 28, 1903.

To approve the report of the Commissioners on the annexation of the Village of Hyde Park to the City of Cincinnati.

Whereas, The council of the village of Hyde Park appointed Tilden R. French, Louis E. Ziegle, and Wilmot J. Hall commissioners to act for said village, and the council of the city of Cincinnati appointed Levi C. Goodale, William Rendigs, and James D. Templeton commissioners to act for that city, for the purpose of arranging the terms and conditions of such

annexation, and said commissioners reported the terms of annexation as agreed to by them, together with a report of all indebtedness and assets of said village: Now, therefore—

SEC. 1. *Be it ordained by the Council of the City of Cincinnati, State of Ohio,* That the report and agreement of said commissioners above referred to be and the same is hereby approved.

SEC. 2. That said agreement of said commissioners be spread upon the minutes of this Council.

[NOTE.—Annexation completed at 12 o'clock noon Wednesday, November 18, 1903.]

NO. 1032. Passed February 9, 1903.

To submit to the voters the question of annexation of the Village of Evanston, Ohio, to the City of Cincinnati, Ohio.

Whereas, A majority of the voters of the city of Cincinnati desire the annexation to said city of the contiguous incorporated village of Evanston, Ohio: Now, therefore—

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati,* That there be submitted to a vote of the voters of this city at the next regular municipal election occurring in April, 1903, the question of the annexation to the city of the contiguous village of Evanston, Ohio.

SEC. 2. That the vote upon said proposition be in the following form, to-wit: That there be printed upon each ballot in said next ensuing municipal election the words: "Annexation of village of Evanston to city of Cincinnati, yes;" "Annexation of village of Evanston to city of Cincinnati, no;" and that said vote be taken under the direction and subject to the provisions of the board of elections of this city and the laws of Ohio applicable thereto.

SEC. 3. That the city clerk be directed forthwith to transmit a copy of this ordinance to the board of elections of this city, and to cause a notice of the passage of this ordinance and of the proposed submission of said question to a vote to be published not less than twenty days prior to the day fixed

for such election in two newspapers of opposite politics in this city.

SEC. 4. That the city clerk be directed forthwith to transmit a copy of this ordinance to the mayor of this city, with the request that notice of the submission of the proposed question to popular vote at the regular municipal election of this city be embodied in the proclamation for said election.

No. 165. Passed September 28, 1903.

To approve the report of the Commissioners on the annexation of the Village of Evanston to the City of Cincinnati.

Whereas, The council of the village of Evanston appointed Charles M. Myers, Robert Haskins, and Charles E. Logan commissioners to act for said village, and the Council of the city of Cincinnati appointed Levi C. Goodale, William Rendigs, and James D. Templeton commissioners to act for that city, for the purpose of arranging the terms and conditions of such annexation, and said commissioners reported the terms of annexation as agreed to by them, together with a report of all indebtedness and assets of said village: Now, therefore—

SEC. 1. *Be it ordained by the Council of the City of Cincinnati, State of Ohio*, That the report and agreement of said commissioners above referred to be and the same is hereby approved.

SEC. 2. That said agreement of said commissioners be spread upon the minutes of this Council.

[NOTE.—Annexation completed at 12 o'clock noon Thursday, November 19, 1903.]

No. 1033. Passed February 9, 1903.

To submit to the voters the question of the annexation of the Village of Bond Hill, Ohio, to the City of Cincinnati, Ohio.

Whereas, A majority of the voters of the city of Cincinnati desire the annexation to said city of the contiguous incorporated village of Bond Hill, Ohio: Now, therefore—

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That there be submitted to a vote of the

voters of this city at the next regular municipal election, occurring in April, 1903, the question of the annexation to the city of the contiguous village of Bond Hill, Ohio.

SEC. 2. That the vote upon said proposition be in the following form, to-wit: That there be printed upon each ballot in said next ensuing municipal election the words: "Annexation of village of Bond Hill to city of Cincinnati, yes;" "Annexation of village of Bond Hill to city of Cincinnati, no;" and that said vote be taken under the direction and subject to the provisions of the Board of Elections of this city and the laws of Ohio applicable thereto.

SEC. 3. That the city clerk be directed forthwith to transmit a copy of this ordinance to the Board of Elections of this city, and to cause a notice of the passage of this ordinance and of the proposed submission of said question to a vote to be published not less than twenty days prior to the day fixed for such election in two newspapers of opposite politics in this city.

SEC. 4. That the city clerk be directed forthwith to transmit a copy of this ordinance to the mayor of this city, with the request that notice of the submission of the proposed question to popular vote at the regular municipal election of this city be embodied in the proclamation for said election.

NO. 163. Passed September 28, 1903.

To approve the report of the Commissioners on the annexation of the Village of Bond Hill to the City of Cincinnati.

Whereas, The Council of the village of Bond Hill appointed John M. Champlin, Joseph Hart, and Butler Bromwell commissioners to act for said village, and the Council of the city of Cincinnati appointed Levi C. Goodale, William Rendigs, and James D. Templeton commissioners to act for that city, for the purpose of arranging the terms and conditions of such annexation, and said commissioners report the terms of annexation as agreed to by them, together with a

report of all indebtedness and assets of said village : Now, therefore—

SEC. 1. *Be it ordained by the Council of the City of Cincinnati, State of Ohio*, That the report and agreement of the said commissioners above referred to be and the same is hereby approved, and the recommendations therein contained be concurred in.

SEC. 2. That said agreement of said commissioners be spread upon the minutes of this Council.

[NOTE.—Annexation completed at 12 o'clock noon Monday, November 16, 1903.]

NO. 1049. Passed March 2, 1903.

To submit to the voters the question of the annexation of the Village of Winton Place to the City of Cincinnati, Ohio.

Whereas, A majority of voters of the city of Cincinnati desire the annexation to said city of the contiguous incorporated village of Winton Place, Ohio : Therefore —

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That there be submitted to a vote of the voters of this city, at the next regular municipal election occurring in April, 1903, the question of the annexation to the city of the contiguous village of Winton Place, Ohio.

SEC. 2. That the vote upon said proposition be in the following form, to-wit : That there be printed upon each ballot in said next ensuing municipal election the words : "Annexation of village of Winton Place to city of Cincinnati, yes ;" "Annexation of village of Winton Place to city of Cincinnati, no ;" and that said vote be taken under the direction and subject to the provisions of the Board of Elections of this city and the laws of Ohio applicable thereto.

SEC. 3. That the city clerk be directed forthwith to transmit a copy of this ordinance to the Board of Elections of this city, and to cause a notice of the passage of this ordinance and of the proposed submission of said question to a vote to be

published not less than twenty days prior to the day fixed for such election in two newspapers of opposite politics in this city.

SEC. 4. That the city clerk be directed forthwith to transmit a copy of this ordinance to the mayor of this city, with the request that notice of the submission of the proposed question to popular vote at the regular municipal election of this city be embodied in the proclamation for said election.

No. 175. Passed October 12, 1903.

To approve the report of the Commissioners on the annexation of the Village of Winton Place to the City of Cincinnati.

Whereas, The Council of the village of Winton Place appointed Edward J. Durr, George Haller, and Willis W. Yeatman commissioners to act for said village, and the Council of the city of Cincinnati appointed Levi C. Goodale, William Rendigs, and James D. Templeton commissioners to act for that city, for the purpose of arranging the terms and conditions of such annexation, and that said commissioners reported the terms of annexation as agreed to by them, together with a report of all indebtedness and assets of said village : Now, therefore—

SEC. 1. *Be it ordained by the Council of the City of Cincinnati, State of Ohio*, That the report and agreement of the said commissioners above referred to be and the same is hereby approved.

SEC. 2. That said agreement of said commissioners be spread upon the minutes of this Council.

[NOTE.—Annexation completed at 12 o'clock noon Tuesday, November 17, 1903.]

No. 246. Passed December 7, 1903.

Making the recently annexed villages of Evanston, Hyde Park, Bond Hill, and Winton Place part of contiguous wards of the City of Cincinnati.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That the territory included within the boundaries of the recently annexed villages of Hyde Park, Evanston, Bond Hill, and Winton Place be made part of contiguous wards of the city of Cincinnati, as follows :

a. The territory known as the former village of Hyde Park be made a part of the First Ward.

b. The territory known as the former village of Evanston be made a part of the Second Ward.

c. The territory known as the former village of Bond Hill be made a part of the Thirteenth Ward.

d. The territory known as the former village of Winton Place be made a part of the Twenty-third Ward.

No. 10. Passed May 11, 1903.

To annex certain territory to the Twenty-third Ward.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That the annexation to the city of Cincinnati of the territory hereinafter described be and the same is hereby authorized, to-wit: Commencing at a point where the north corporation line of the city intersects the west line of Section 16, Millcreek Township ; thence north along said section line and corporation line of Winton Place to the Cincinnati, Hamilton & Dayton Railroad and the corporation line of Winton Place ; thence northeastwardly along the Cincinnati, Hamilton & Dayton Railroad and corporation line of Winton Place to Mill Creek ; thence north along Mill Creek and the western corporation line of St. Bernard to the Miami and Erie Canal ; thence westwardly, following the Miami and Erie Canal and the corporation line of the city, to the place of beginning.

SEC. 2. That the solicitor is hereby authorized to prosecute the proceedings necessary to effect such annexation.

[NOTE.—Pending before county commissioners.]

No. 75. Passed July 20, 1903.

To authorize the annexation of certain territory to the City of Cincinnati.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That the annexation of the following described territory : Beginning where the Miami and Erie Canal, the present northerly corporation line of the city of Cincinnati, intersects the east line of Section 22, Millcreek Township; thence southwestwardly along said Miami and Erie Canal and the present northerly corporation line of the city of Cincinnati to the eastern boundary line of the Twenty-third Ward of the city of Cincinnati; thence northwestwardly along said boundary line of said Twenty-third Ward to the center line of Mill Creek and the southerly corporation line of the village of Winton Place; thence northeastwardly along said center line of Mill Creek and the southerly corporation line of the village of Winton Place to the east line of Section 22, Millcreek Township; thence south along said section line to the place of beginning,—be and the same is hereby authorized.

SEC. 2. That the solicitor be and he is hereby authorized to prosecute the proceedings necessary to effect such annexation.

[NOTE.—Ordinance of acceptance may be passed after February 3, 1904, if there shall be no injunction proceedings.]

No. 281. Passed June 10, 1892.

To regulate ale, beer, and porter houses and shops, taverns, and other houses for public entertainment.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. It shall be unlawful for any girl or girls, woman or women, to be employed, or to render service of any description whatsoever, either with or without compensation, in any ale or porter house, or in any room or place in which ale, beer, porter, wine, or liquors are sold, as a waiter, bar-tender, or in any capacity which shall render it necessary for her to render service of any kind whatsoever in any room where said ale, beer, porter,

wine, or liquors are sold or kept for sale ; provided that this ordinance shall not prevent any proprietor of such place or places from employing his wife or any female member of his family in his assistance in such place or places.

SEC. 2. Every person employing any girl or girls, woman or women, or permitting or suffering any girl or girls, woman or women, to render service with or without compensation in such place or places, contrary to the provisions of this ordinance, shall on conviction thereof be fined in any sum not less than five dollars nor more than twenty-five dollars for every day such person or persons shall be employed, permitted, or suffered to render service in violation of this section ; and every girl or woman who shall be so employed in such place or places, or who shall render service therein, contrary to the provisions of said section, shall on conviction thereof be fined in any sum not less than five dollars nor more than twenty-five dollars for every day such girl or woman renders service as aforesaid. Nothing herein contained shall make such employment unlawful where such drinks are sold with, or as a part of, a meal in any regular dining-room or restaurant.

NO. 4061. Passed April 6, 1888.

To amend Section 5 of an Ordinance to regulate the City Auditor's (Comptroller's) Office.

Be it ordained, That Section 5 of an ordinance to regulate the city auditor's (comptroller's) office, passed July 23, 1856, be amended to read as follows :

SEC. 5. Before entering upon the duties of his office he shall take an oath or affirmation to support the constitution of the United States, the constitution and laws of the state, and the ordinances of the city. The assistants shall take similar oath or affirmation. The auditor shall give bond, with not less than three good and sufficient sureties, to the satisfaction of the City Council, in the penal sum of one hundred thousand dollars, for the faithful performance of the duties of his office, which bond

shall be filed with the city clerk. His principal assistant shall give bond in the sum of ten thousand dollars to the satisfaction of the Council, and said bond shall be filed with the city clerk. The assistant comptroller shall receive the sum of two thousand five hundred dollars per year for his services.

NO. 190. Passed June 6, 1898.

To provide for the preparation by the City Auditor of semi-annual appropriating ordinances to defray salaries and current expenses of the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the city auditor be and he is hereby empowered and directed to semi-annually prepare and submit to the Board of Legislation an ordinance to appropriate money to defray the salaries and current expenses of the city of Cincinnati for the six months ending June 30th and December 31st of each year.

SEC. 2. That in preparing each semi-annual appropriating ordinance the city auditor shall be governed in all allowances for the six months to be provided for therein by the provisions of Section 2690½ of the Revised Statutes, and by the action of the Board of Supervisors, in its tax commission capacity, in fixing allowances for the entire year as shall be reported by that board, taking care that the combined allowances for each item of expenditures of each of the several departments for the two periods of six months each of any one year shall not exceed the gross amount for the year allowed by said Board of Supervisors in its final action upon the annual tax-levy ordinance transmitted to it by the Board of Legislation.

SEC. 3. That the semi-annual ordinance thus provided for shall in each instance be submitted to the Board of Legislation by the city auditor at such time of the year as will, allowing for reasonable delays in the boards of Legislation and Supervisors, permit of its passage, and taking effect not later than the first of January and the first of July of each year.

No. 42. Passed June 15, 1903.

To provide for the appointment of subordinates in the City Auditor's Office, to further prescribe the duties of the Auditor, and to repeal certain ordinances therein named.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That the office of the auditor shall be kept open for the transaction of business pertaining thereto from 8:30 A. M. to 4 P. M. every day, excepting Sundays and holidays ; and that the auditor, or one of his subordinates to be designated by him, shall attend the sessions of the Council and the meetings of any of its committees when notified by the chairman or secretary, in writing, to do so.

SEC. 2. That the auditor of the city be and he is hereby authorized, subject to the approval of Council, to appoint the following subordinates in his office, at annual salaries fixed, respectively, as follows, to-wit :

| | | |
|---|-------------|---------|
| An assistant auditor..... | Salary | \$2,500 |
| A bookkeeper | " | 1,800 |
| An assistant bookkeeper | " | 1,500 |
| A second assistant bookkeeper | " | 1,200 |
| A chief assessment clerk..... | " | 1,300 |
| Two assessment clerks | Salary each | 1,200 |
| One assessment clerk | Salary | 1,000 |
| A chief license clerk | " | 1,200 |
| An assistant license clerk | " | 1,000 |
| A record clerk..... | " | 1,400 |
| A general clerk | " | 900 |
| A department examiner | " | 1,500 |
| Two assistant department examiners..... | Salary each | 1,200 |
| A stenographer and general clerk..... | Salary | 720 |
| A messenger | " | 600 |

Said appointees, under the direction of the auditor, shall perform such duties, consistent with the nature of their respective appointments, as he may designate, and shall give their attention exclusively to the business of the auditor's office. No extra compensation shall be allowed or paid to any subordinate for the performance of any of the duties imposed by law or ordinance upon the auditor.

SEC. 3. The salaries herein provided for shall be paid in equal semi-monthly installments upon the allowance of the auditor. The appointees shall hold their places during the pleasure of the auditor, but before entering upon their respective duties shall each give a bond, payable to the city, conditioned and approved in the manner required by law and ordinance, and in the amounts following, respectively: The assistant auditor and bookkeeper, each \$5,000; the assistant bookkeepers, the assessment clerks, and the license clerks, each \$3,000; the record clerk, general clerk, and the department examiners, each \$2,000; and the stenographer and general clerk, \$1,000.

SEC. 4. The auditor shall have the powers and shall perform the duties prescribed and imposed upon him by the laws of Ohio and the ordinances and resolutions of the city of Cincinnati, and he may prescribe such rules and regulations for the conduct of his office, not inconsistent therewith, as he may deem best for the interests of the city. He shall, so far as possible, cause the place of residence to be ascertained of every owner whose property is charged with special assessment of any kind as soon as his office shall receive notice thereof, and the place of residence of any successor in title, and shall note the same on the assessment record of his office. Not less than twenty days before the maturity of any assessment or of any installment thereof he shall cause a notice, by postal card, to be mailed to the owner or recognized agent, at the expense of the city, directed to the place of residence, designating thereon the property assessed and for what purpose assessed, the amount of the assessment, the day when due, the place where payable, and stating that there is a penalty for non-payment.

SEC. 5. In case of absence or illness of the auditor, the assistant auditor shall have charge and supervision of the office, and shall perform the duties of the auditor; and in case of the absence or illness of both the auditor and assistant auditor, the bookkeeper shall have such charge and supervision, and may perform the duties of the auditor.

SEC. 6. That the following entitled ordinances and parts of ordinances be and the same are hereby repealed, to-wit :

Sections 1, 2, 3 as amended January 6, 1865, and 5 of "an ordinance to regulate the city auditor's office," passed July 23, 1856. (C. & H., page 145.)

"An ordinance to designate person to act in absence or sickness of comptroller or his assistant," passed September 10, 1886. (C. & H., page 154.)

So much of "an ordinance to fix the salaries of certain officers, and to repeal certain ordinances upon that subject," passed October 2, 1868 (C. & H., page 697), as fixes the salary of the assistant city auditor at two thousand dollars per annum.

"An ordinance fixing the salary and amount of bonds of subordinates in the comptroller's office," passed October 15, 1880. (C. & H., page 700.)

"An ordinance (No. 45) to regulate the city auditor's office, to provide for his assistants, to fix their salaries, and to define their powers and duties," passed June 26, 1891, as amended by an ordinance (No. 51) passed July 26, 1897. (Henderson, page 32.)*

"An ordinance (No. 496) to provide for the appointment of subordinates in the city auditor's office, to further prescribe the duties of the auditor, and to repeal certain ordinances therein named," passed July 2, 1900. (Henderson, page 12.)

"An ordinance (No. 706) to amend Ordinance No. 496, passed July 2, 1900, entitled 'An ordinance to provide for the appointment of subordinates in the city auditor's office, to further prescribe the duties of the auditor, and to repeal certain ordinances therein named,'" passed August 26, 1901.

And that the resolution of the City Council of Cincinnati, authorizing the city auditor to employ additional assistance for the transaction of the business of his office at the expense of seventy-five dollars per month, adopted June 16, 1871 (C. & H., page 153), be and the same is hereby rescinded.

* Refers to edition of 1899.

No. 776. Passed January 27, 1902.

Providing for the monthly auditing of the accounts of the City Treasurer.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. In addition to the annual auditing by the auditor of Cincinnati of the accounts of the treasurer of said city, said auditor shall audit the accounts of said treasurer monthly, and make report thereof to the Board of Legislation.

No. 1065. Passed April 8, 1903.

To regulate the use of automobiles and motor vehicles on the streets, alleys, and park driveways of the city, and repealing an ordinance entitled "An ordinance to regulate the operation of automobiles in the streets of the City of Cincinnati."

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the owner or driver of any automobile, motor car, or other vehicle propelled by steam, gasoline, or electric power, except street-railway cars, shall before operating such vehicle register with the city auditor his name, residence, and the manufacturer's number of the vehicle owned or operated by him, and the city auditor shall enter such name, residence, and manufacturer's number of such vehicle in a record, and shall furnish to the person so registering aluminum initials of the name of such person, such letters to be four inches in height and two and one half inches in width, which shall be placed upon a plate and attached to such vehicle, in plain view. These initials so displayed shall serve as a license to operate the automobile or motor vehicle bearing the same on the streets, alleys, and park driveways of the city of Cincinnati for the period of one year from date of issue, upon the payment of three dollars for such license and fifty cents for each initial letter so furnished. This license shall be renewed annually thereafter upon payment of three dollars per annum; all money received from such source to be credited to the street-repairing fund. Provided, however, that under no circumstances shall such license be issued to a person under sixteen years of age.

SEC. 2. No person, driver, or operator in charge of any automobile or motor vehicle on a public street, alley, or park driveway shall drive, operate, move, or permit the same to be driven, operated, or moved, at a rate of speed faster than seven miles per hour within that portion of the city lying between Water Street on the south, Court Street on the north, John Street on the west, and Broadway on the east; nor faster than fifteen miles per hour on any street, alley, or park driveway in the city of Cincinnati beyond that territory so described.

SEC. 3. The driver or operator in charge of an automobile or motor vehicle shall, when signaled by the occupant of any vehicle propelled by horse, stop said automobile or motor vehicle until the other vehicle has passed.

SEC. 4. Every automobile or motor vehicle shall be provided with a bell or horn, which shall be rung or blown by the operator whenever there is danger of collision or accident. The driver or operator of every automobile or motor vehicle shall be governed by the commonly accepted rules of road traffic, by turning to the right-hand side in meeting vehicles and teams and persons moving or headed in the direction opposite to that in which he is moving, and by turning to the left-hand side in passing vehicles, teams, and persons moving or headed in the same direction in which he is moving.

SEC. 5. No person shall operate an automobile on any street, alley, or park driveway in the city of Cincinnati so as to interfere with any fire-engine, ladder-truck, hose-truck, or any other wagon or vehicle used by the fire department, or with any member of the fire department, while going to or from a fire, or with any person or vehicle used by the salvage corps going to or from a fire.

SEC. 6. Any person who shall violate any of the provisions of this ordinance shall upon conviction thereof be fined in any sum not exceeding fifty dollars.

SEC. 7. That Ordinance No. 611, passed January 28, 1901, entitled "An ordinance to regulate the operation of automobiles in the streets of the city of Cincinnati," is hereby repealed.

No. 876. Passed June 30, 1902.

Regulating the operation of automobiles in the public parks of the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That no person or persons shall operate an automobile on any of the driveways in any of the public parks of Cincinnati after sunset and before sunrise without having a lighted lantern attached thereto, casting a light in the direction in which such person is going, of sufficient illuminating power to be visible at a distance of two hundred feet, nor at any time without having an alarm bell or whistle attached thereto, which bell or whistle shall be sounded on approaching any crossings over said driveways, and shall be further used for the purpose of warning pedestrians and other persons using the driveways of the approach of the automobile.

SEC. 2. That no person or persons shall operate an automobile on the driveways of the public parks of Cincinnati at a greater rate of speed than six miles per hour, and under no circumstances shall two or more automobiles be operated abreast in said driveways of said parks.

SEC. 3. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than five nor more than twenty-five dollars, together with the costs of the prosecution.

No. 226. Passed March 25, 1892.

To regulate public ball-rooms, dance-halls, and concert-halls.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful for any young girl a minor to enter any public ball-room, dance-hall, or concert-hall without having some lawful business, or accompanied by a parent or guardian; and if any minors frequent such place as ball-room, dance-hall, or concert-hall, it shall become the duty of the

police to arrest all such persons, and on conviction thereof they shall be fined not more than ten dollars nor less than five dollars, and for any subsequent offense shall upon conviction or convictions thereof be fined not more than twenty-five dollars nor less than ten dollars, or be imprisoned not more than ten days, or both.

SEC. 2. The keeper or persons having in charge any ball-room, dance-hall, or concert-hall who shall knowingly permit any minor, except members of his own family, to enter said ball-room, dance-hall, or concert-hall, shall be fined not more than fifty dollars nor less than twenty-five dollars, or be imprisoned not more than twenty days, or both; and it shall be the duty of the mayor and superintendent of police to see that this ordinance is enforced.

NO. 1080. Passed August 17, 1896.

To regulate the use of bicycles in the streets of the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That no person shall ride a bicycle on any of the sidewalks of the city of Cincinnati.

SEC. 2. No person shall ride a bicycle through the streets of the city of Cincinnati after sunset and before sunrise without having a lighted lantern attached thereto, casting a light in the direction in which such person is going, of sufficient illuminating power to be visible at a distance of two hundred feet; nor without having an alarm-bell or whistle attached thereto, which bell or whistle shall be sounded on approaching and crossing street intersections.

SEC. 3. No person shall ride any bicycle through the streets of the city of Cincinnati at a greater rate of speed than eight miles an hour; and no more than two persons shall ride abreast in the streets without special permission from the superintendent of police.

SEC. 4. No person shall ride a bicycle upon any street, avenue, lane, alley, or other public place in the city of Cin-

cincinnati so as to interfere with any fire-engine, ladder-truck, hose-truck, or any other wagon or vehicle used by the fire department, or with any member of the fire department, while going to or from a fire, or with any person or vehicle used by any salvage corps while going to or returning from a fire.

SEC. 5. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding five dollars and costs of prosecution.

NO. 38. Passed July 6, 1897.

To regulate the sprinkling of certain streets, avenues, thoroughfares, and public ways of the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful to sprinkle, by means of sprinkling-cart, hose, or other apparatus, the entire width of any street, avenue, thoroughfare, or public way of the city of Cincinnati that is paved with asphalt, granite, or brick.

SEC. 2. Such sprinkling shall always be done so as to leave on any such street, avenue, thoroughfare, or public way a dry strip in the center thereof of not less than four nor more than six feet in width.

SEC. 3. Any person violating the provisions of this ordinance shall be, upon conviction thereof, fined not less than one dollar nor more than five dollars for any such offense.

[NOTE.—The intent of this ordinance is to preserve a "dry strip" for bicycles.]

NO. 308. Passed May 29, 1899.

To provide against obstructions and injuries to cycle and cinder paths.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful for any person to ride or drive an animal, or drive a vehicle drawn by an animal, upon or along any cinder path or other path constructed solely for the use of bicycle riders in the city of Cincinnati.

SEC. 2. That it shall be unlawful for any person to place or cause to be placed in or upon any cinder path or other path constructed solely for the use of bicycle riders in the city of Cincinnati any tack, nail, piece of iron, broken glass, bottle, brier, thorn, or other substance, except such substance as may be placed on same by lawful authority for the repair or construction of the same.

SEC. 3. That any person or persons violating Section 1 or Section 2 of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than fifty dollars and the costs of prosecution, which said fines shall be paid to the city auditor, and by him credited to the road or street-repair fund of the said city of Cincinnati.

SEC. 4. Nothing in this ordinance shall be construed to prohibit the necessary and proper ingress or egress to and from property, or to prohibit the necessary and proper crossing of cycle paths or public ways at intersections of the public highway.

BLOCKED SQUARES.

[Continuation of list in Coppock and Hertenstein of blocked squares, in which the erection of any building, or addition to any building, more than ten feet high, unless the outer walls be made of iron, stone, brick and mortar, or of some of them, is prohibited.]

No. 3959 (passed July 8, 1887).—Evans Alley, Loth Street, East Alley, and north line of Elsas & Loth's subdivision.

No. 4048 (passed March 23, 1888).—C. I. St. L. & C. R. R. on the east, by Fifth Street on the south, by Hannibal Street on the west, and by Sixth Street on the north.

No. 4100 (passed August 17, 1888).—Spring-Grove Avenue, Addison Street, Colerain Avenue, and Queen-City Avenue.

No. 4114 (passed September 7, 1888).—Western Avenue, Hulbert Alley, Bank and Dayton streets.

No. 4126 (passed December 7, 1888).—Gest Street, South Street, State Avenue, and Depot Street.

No. 4147 (passed January 11, 1889).—Mulberry Street from Vine Street east to an alley opposite Rice Street, by said alley to Peete Street, by Peete Street to Vine Street and place of beginning.

No. 36 (passed August 1, 1890).—Nassau, North St. James Avenue, Francisco Street, and Fulton Avenue.

No. 31 (passed June 5, 1891).—Bogen Street, Queen-City Avenue, Oswald Street, and Harrison Avenue.

No. 102 (passed September 18, 1891).—Fairfield Avenue, Lincoln Avenue, Kleine Street, and Dexter Avenue.

No. 160 (passed January 8, 1892).—Chase Street, Pullan Avenue, Langland Street, and Williamson Place.

No. 263 (passed May 20, 1892).—Drake Alley, Young Street, Boal Street, and Prospect Street.

No. 287 (passed June 17, 1892).—McMillan Street, Park Avenue, Curtis Street, and Kemper Lane.

No. 345 (passed September 23, 1892).—McMicken Avenue, Locust Street, Oak and Buckeye streets.

No. 793 (passed June 1, 1894).—Freeman Avenue, Coleman, Dayton and York streets.

No. 775 (passed April 20, 1894).—Colerain Avenue, Dorman Street, Cherry Street, and Burgoyne Street.

No. 813 (passed July 20, 1894).—Saunders Street, Huntington Place, Main Street, Sycamore or Lewis Street.

No. 461 (passed February 17, 1893).—Thill, Loth, St. Joe, and Vine streets.

No. 584 (passed July 14, 1893).—Draper, Straight, Colerain Avenue, and Miami and Erie Canal.

No. 660 (passed October 27, 1893).—Jefferson Avenue, Scioto Street, Calhoun and Claassen streets.

No. 681 (passed November 17, 1893).—Fulton Avenue, Nassau Street, St. James Avenue, and Eden Park.

No. 919 (passed April 26, 1895).—Dalton, Sherman and McLean avenues, and Poplar Street.

No. 941 (passed June 21, 1895).—North side of Fourteenth to south side of Fifteenth, west side of Bremen, and east side of Race.

No. 960 (passed July 19, 1895).—State Avenue, Staebler Street, Burns Street, and (including Hatmaker Street) Washington Alley.

No. 1010 (passed December 6, 1895).—Grand Avenue, Nassau Street, Fulton Avenue, and Eden Park, Walnut Hills.

No. 1087 (passed August 24, 1896).—State Avenue, Storrs Street, Burns Street, and Staebler Street, including Neave Street between Staebler and Storrs streets.

No. 1168 (passed February 23, 1897). — Hackberry and Clayton streets and Moorman and Forest avenues.

No. 262 (passed February 6, 1899). — McMillan Street, Kinsey Avenue, Reading Road, and Cumberland Street.

No. 288 (passed April 10, 1899).—Court, John, Elizabeth, and Mound streets.

No. 712 (passed September 3, 1901).—Hamilton Avenue, Pullan Avenue, Brookside Avenue, and Chase Avenue.

No. 992 (passed December 15, 1902).—Hickman Avenue, Reading Road, Harvey and Ridgeway avenues.

ORDINANCES TO BLOCK SQUARES REPEALED.

No. 4058 (passed March 30, 1888).—High, Congress, Deer Creek, and Butler Street.

No. 4165 (passed February 8, 1889). — Butler and Front streets, the Miami Canal, and Ohio River.

No. 59 (passed July 31, 1891). — McMillan Street, Park Avenue, Cemetery Street, and Kemper Lane.

No. 78 (passed August 28, 1891).—Crossing C. H. & D. R. R. and Harrison Avenue, running along to G. M. Herancourt's brewery, east to crossing of C. H. & D. R. R., thence south to place of beginning.

No. 581 (passed July 7, 1893).—Ninth, Linn, Richmond, and Cutter streets.

No. 1078 (passed July 27, 1896).—Madisonville Pike, Kleine Street, Forest Avenue, and Hackberry Street.

No. 1086 (passed August 24, 1896).—Front, Harriet, Sixth, and Horne streets.

No. 242 (passed November 7, 1898).—Freeman, Denman and Bank streets, and Central Avenue.

No. 268 (passed February 13, 1899).—Freeman, Sixth, George, and Baymiller streets.

No. 279 (passed March 6, 1889).—Fairfield, Lincoln and Dexter avenues, and Kleine Street.

No. 450 (passed April 3, 1900).—Wilstach, Wade and Denman streets, and a line 225 feet west of Denman Street, it being a part of Ordinance No. 191 to block the square bounded by Liberty, Wade and Denman streets, and a line 550 feet west of Denman Street.

No. 646 (passed April 29, 1901).—Parson, East Front, Pearl, and Martin streets.

No. 730 (passed September 23, 1901).—Chase Street, Turrill Street, Pullan Avenue, and Hamilton Avenue.

No. 746 (passed October 28, 1901).—Ferry Street, Eastern Avenue, Lewis Street, and the Ohio River.

No. 773 (passed January 16, 1902).—Dunlap, Stark, East Plum, and Findlay streets.

No. 848 (passed May 26, 1902).—Freeman Avenue, West Front, Carr, and Sargent streets.

No. 885 (passed July 21, 1902).—Sycamore, Milton and Boal streets, and Von Seggern Alley.

No. 1039 (passed February 24, 1903).—Stark Street, Hamilton Road, Dunlap Street, and Miami Canal.

No. 1067 (passed April 20, 1903).—Hickman Avenue, Reading Road, Harvey Avenue, and Ridgeway Avenue.

No. 208 (passed November 5, 1903).—Central Avenue, Freeman Avenue, Clearwater Street, and Ailanthus Alley.

NO. 914. Passed April 5, 1895.

Authorizing the issue of extension bonds of the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Sinking Fund Trustees of said city, for the purpose of extending the time of the payment of any existing indebtedness of said city, are hereby authorized to issue, from time to time as required, extension bonds of the city in an amount not to exceed in the aggregate four hundred thousand dollars, dated as issued, and running until July 1, 1902, and bearing interest at the rate of four per cent per annum; payable semi-annually each July 1st and January 1st after the date of the bonds, the first coupon on each bond being for fractional interest to the regular semi-annual interest day next succeeding; the principal and interest on said bonds to be payable at the Third National Bank of Cincinnati.

SEC. 2. The said bonds shall be signed by the mayor and auditor, and attested with the seal of the city, and secured by a pledge of the faith and credit of the city, and by a tax on every dollar of valuation on the tax duplicate, which it shall be the duty of the Board of Legislation annually during the term of said bonds to levy, sufficient to pay the interest and to provide a sinking fund of not less than three per cent annually on the amount of bonds issued thereunder; it being the intent of this ordinance not to provide for full payment of said bonds at their maturity, but only of such proportion thereof as is now provided by law for the other general bonds of the city, to the end that on July 1, 1902, the unpaid residue of the bonds issued under this ordinance, together with the Cincinnati Southern Railway bonds at that time maturing, may be then extended or renewed, as may be necessary or expedient.

SEC. 3. The bonds issued under this ordinance shall be sold in the manner provided by law for the sale of the city's bonds, and the proceeds shall be paid to the Sinking Fund Trustees, and by them shall be applied to the payment or redemption of the city's general bonds at maturity. Any and all surplus shall be credited to the general sinking fund of the city.

No. 805. Passed March 17, 1902.

To further provide for filing of official bonds, and to repeal Ordinance No. 736, passed October 7, 1901.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. It shall be the duty of the city clerk to make and preserve an accurate indexed record of all bonds of officials and employees of the city of Cincinnati that, under requirements of statutes or ordinances, shall be filed with him, which records shall be open at all times for public inspection.

SEC. 2. It shall also be the duty of the city clerk, in all instances of bonds of officials and employees of the city of Cincinnati required by statutes or ordinances to be filed with him, to require that such bonds shall be filed or renewed in proper time, to which end he shall serve notice upon persons heretofore referred to in this section ten days in advance of time for renewing bonds; and in cases of those thus referred to newly elected or appointed shall require the bond previous to their entering upon the discharge of their duties. Upon failure of any person so notified to file bond he shall give immediate notice thereof to the Board of Legislation.

SEC. 3. It shall be the duty of the city auditor to, in like manner as provided in sections 1 and 2 hereof, require and make record of the bond of the city clerk.

SEC. 4. An ordinance numbered 736, passed October 7, 1901, is hereby repealed.

[NOTE.—The new code requires that all such bonds except that of the auditor shall be filed with the auditor, and that of the auditor's shall be filed with the clerk of Council.]

BOND ISSUES ORDERED.

\$200,000 Resurfacing (Ord. No. 852, passed June 2, 1902).

\$50,000 Park (Ord. No. 853, passed June 2, 1902).

\$45,000 Hospitals and Pest-houses (Ord. No. 922, passed September 2, 1902).

\$6,000 Market-houses (Ord. No. 941, passed Oct. 6, 1902).

\$50,000 East Court Street (Ord. No. 951, passed October 13, 1902).

\$37,000 Sanitary Purposes (Ord. No. 959, passed October 27, 1902).

\$100,000 Hospital (Ord. No. 1000, passed Dec. 22, 1902).

\$25,000 Condemnation (Ord. No. 1021, passed January 26, 1903).

\$10,000 Viaducts (Ord. No. 1034, passed Feb. 9, 1903).

\$22,000 Bremen-street Bath-house (Ord. No. 1041, passed February 24, 1903). Repealed by Ord. No. 21, passed May 25, 1903, and reordained by Ord. No. 27, passed June 1, 1903.

\$18,500 Glenway Avenue (Ord. No. 1057, passed March 9, 1903).

\$40,000 City Hall (Ord. No. 1072, passed April 20, 1903).

\$1,000,000 Play-grounds and Parks (Ord. 1058, passed March 16, 1903). Repealed by Ord. No. 12, passed May 11, 1903, and reordained by Ord. No. 13, passed May 11, 1903.

\$250,000 Sewers, Drains, etc. (Ord. No. 145, passed Sept. 21, 1903).

\$250,000 Street Improvements (Ord. No. 146, passed Sept. 21, 1903).

\$25,000 Street Improvements (Ord. No. 206, passed Nov. 5, 1903).

\$40,000 City Infirmary (Ord. No. 221, passed November 16, 1903).

\$12,000 Free Public Libraries (Ord. 228, passed November 23, 1903).

A RESOLUTION Passed January 4, 1904.

As to bonds for street improvements.

Whereas, The Board of Trustees of the Sinking Fund of the city of Cincinnati, by reason of the approaching maturity of a large number of city bonds, has declined to take street-improvement bonds, the issue of which is provided for by ordinances of Council in proceedings for the improvement of

streets, and it therefore becomes necessary to offer said bonds for sale: Now, therefore—

Be it resolved by the Council of the City of Cincinnati, That the auditor of said city be and he is hereby authorized to advertise and sell said bonds as provided by law, and to pay the proceeds of such sale to the city treasurer.

No. 3964. Passed August 17, 1887.

Providing for the regulation of bootblacks.

Be it ordained by the Common Council of Cincinnati:

SEC. 1. That no boy or boys or other persons known as bootblacks shall ply their trade or business in any streets, avenues, parks, or other public spaces of this city without a permit from the mayor, as hereinafter provided.

SEC. 2. That the mayor is hereby authorized to grant permits in writing to the class of persons known as bootblacks to ply their trade or business in the streets, avenues, parks, or other public spaces of this city. No permit shall be issued to any applicant until the parent or guardian of said applicant or some other person shall give to the mayor satisfactory assurance of the good character of such applicant. All permits granted under this ordinance shall last for a period of not more than one year, and may be renewed annually.

SEC. 3. That each person receiving such permit as provided for in the foregoing section shall forthwith present the same to the superintendent of police, whose duty it shall be to supply such person with a badge and number made of metal, said badge to be and remain the property of the city of Cincinnati, and shall be returned to said superintendent of police at the expiration of the time for which said permit was granted, or at any time should said permit be revoked; the superintendent of police shall indorse such number upon the permit, and cause a record to be made of the name of each person to whom a permit is granted, with his place of residence, the business he is permitted to pursue under this ordinance, and the number

with which he is supplied. The superintendent of police on issuing each and every permit, including renewals, shall collect a fee of ten cents from each person to whom the badge and number herein provided for are issued. Said tax as herein provided for shall be paid into the city treasury in the same manner as license fees.

SEC. 4. That each person to whom a number and badge are issued under the preceding section of this ordinance shall while plying his business wear said badge on the front of his hat or cap, or on the breast of his coat, so that the same may be plainly seen.

SEC. 5. That the mayor may revoke the permit herein provided for, and it shall be deemed sufficient cause for such revocation that the person whose permit is revoked has while enjoying said permit been guilty of using indecent or profane language, or of committing any act of a disorderly or dishonest nature, or has, if a minor, been visiting or loitering around saloons, or in any case if seen intoxicated in the streets or public thoroughfares while wearing said number or pursuing the vocation of bootblack.

SEC. 6. That any violation of or failure to comply with the provisions of this ordinance shall be punished by a fine not to exceed ten dollars and costs, in default of which the offender be committed to the House of Refuge.

A RESOLUTION. Passed September 30, 1887.

Authorizing bridge over and across Hazen Alley.

Resolved, That the Christian Moerlein Brewing Company be and they are hereby authorized and granted the right to build a bridge over and across Hazen Alley, between Henry Street and McMicken Avenue, for the purpose of connecting their property situated on both sides of said alley, upon condition that said company will remove bridge within thirty days after receiving notice so to do from the Board of Public Affairs; said bridge to be at least twenty-five feet above the alley, and to be

built under direction and to the satisfaction of the Board of Public Affairs and the inspector of buildings.

NO. 54. Passed September 9, 1890.

Granting to the Roth-Meyer Packing Company permission to erect a bridge across Espanola Alley, connecting buildings on either side thereof.

Be it ordained by the City Council of Cincinnati:

SEC. 1. That permission be and the same is hereby granted to the Roth-Meyer Packing Company to erect a bridge not exceeding seventy feet in width across Espanola Alley, between Louisa Street and Freeman Avenue, for the purpose of connecting their buildings on either side of said alley; said bridge to be not less than sixteen feet above the curb of said alley, and said bridge to be built so as not to obstruct or interfere with ordinary travel through said alley.

NO. 1051. Passed March 2, 1903.

Granting to the John C. Roth Packing Company permission to erect over and upon the bridge heretofore erected by them a structure connecting their buildings on either side of Espanola Alley.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission be and the same is hereby granted to the John C. Roth Packing Company to erect over and upon the bridge heretofore erected by them a structure, upon plans to be approved by the inspector of buildings, over Espanola Alley, connecting their buildings on either side of said alley, said bridge having been constructed under an ordinance passed September 9, 1890, by the City Council of Cincinnati.

NO. 599. Passed August 4, 1893.

To authorize and permit the Cincinnati Abattoir Company to connect their buildings on Alabama Avenue by constructing bridges across said Alabama Avenue.

Be it ordained by the Board of Legislation of Cincinnati:

That the Cincinnati Abattoir Company be and is hereby authorized and permitted to connect its buildings on the south

side of Alabama Avenue with its buildings on the north side of Alabama Avenue by constructing three bridges across said Alabama Avenue; one bridge to be constructed at a point not more than twelve feet west of Johnston Street, another bridge at a point not more than sixty feet west of Johnston Street, and another bridge at a point not more than two hundred and thirty feet west of Johnston Street; said bridges to be not less than sixteen feet above the surface of said avenue over which they are to be built, and to be without any uprights or supports in the roadway of the avenue, and according to plans which must first be approved by the chief engineer of the Board of Administration and the inspector of buildings as to security and safety.

NO. 473. Passed March 10, 1893.

To authorize and permit the J. A. Fay & Egan Company to connect its buildings at the corner of Front and John streets by constructing a bridge across John Street, north of Front Street, and one across Front Street, west of John Street.

Be it ordained by the Board of Legislation of Cincinnati:

That the J. A. Fay & Egan Company (a large manufacturing company doing business at Front and John streets, and using in its said business the buildings at the northeast corner, the northwest corner, and the southwest corner of said streets) be and it is hereby authorized and permitted to connect its said buildings at said corners by constructing a bridge across John Street at a point not more than sixty feet north of Front Street, and another bridge across Front Street at a point not more than forty feet west of John Street; said bridges to be not less than thirty feet above the surface of said streets over which they are to be built, and to be without any uprights or supports in the roadway of the street, and according to plans which must first be approved by the chief engineer of the Board of Administration and the inspector of buildings as to security and safety.

No. 716. Passed January 5, 1894.

Granting to the A. Sander Packing Company permission to erect a bridge across Espanola Alley.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission be and the same is hereby granted to the A. Sander Packing Company of Cincinnati, Ohio, its successors and assigns, to erect a bridge not exceeding fifty feet in width across Espanola Alley, between Louisa Street and Freeman Avenue, and to maintain the same for the purpose of connecting its building on either side of said alley; said bridge to be not less than twenty-three feet above the curb of said alley, and said bridge to be built so as not to obstruct or interfere with the travel through said alley.

No. 422. Passed February 5, 1900.

Granting to the A. Sander Packing Company permission to erect a bridge across Espanola Alley.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission be and the same is granted to the A. Sander Packing Company of Cincinnati, its successors and assigns, to erect a bridge not exceeding twenty feet in width across Espanola Alley, between Louisa Street and Freeman Avenue, and to maintain the same for the purpose of connecting its buildings on either side of said alley; said bridge to be not less than fourteen feet above the curb of said alley, and said bridge to be built so as not to obstruct or interfere with the travel through said alley.

No. 1040. Passed November 22, 1895.

To authorize the Covington and Cincinnati Bridge Company to extend and reconstruct the northern approach to its bridge over certain streets.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission is hereby granted to the Covington and Cincinnati Bridge Company to extend and reconstruct the

northern approaches to its bridge over Water, Front, and Commerce streets in the city of Cincinnati, and to maintain and operate the same forever, upon the following conditions:

1. The elevation of said approach over Water Street shall be not less than sixteen feet in the clear, measured in a perpendicular line from the north curb of said street. The clearance estimated in the same manner shall be not less than fifteen feet over Front Street at present grade, and not less than eight feet over Commerce Street. The line of said extended approach shall be a due north and south line from the present terminus of said bridge, and the extreme width of the right of way hereby granted shall be fifty-two feet.

2. No part of said structure shall rest upon either of said streets, but shall be supported wholly upon the property of said bridge company.

3. Said company shall pay any damages for which the city may be made liable for any injury to persons or property on account of said grant.

No. 1055. Passed April 17, 1896.

Amending an ordinance entitled "An ordinance to authorize the Covington and Cincinnati Bridge Company to extend and reconstruct the northern approach to its bridge over certain streets."

Whereas, It appears that by the erection of certain supports or posts in the curb-lines of Front and Water streets the elevation of the proposed approaches of the Covington and Cincinnati Bridge Company over said streets may be increased without increasing the grade of said approaches; now therefore be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That Clause 2, Section 1, of the ordinance entitled "An ordinance to authorize the Covington and Cincinnati Bridge Company to extend and reconstruct the northern approach to its bridge over certain streets," be amended so as to read as follows: "Said structure shall be supported upon not more than five iron posts or supports erected upon both the north and the south curb-lines of both Water and Front streets."

SEC. 2. That said Clause 2, Section 1, of said ordinance—in the following words: “No part of said structure shall rest upon either of said streets, but shall be supported wholly upon the property of said bridge company”—be and the same is hereby repealed.

SEC. 3. This ordinance shall take effect from and after the earliest period allowed by law, and upon condition only that the elevation of said proposed approaches over Front and Water streets shall be increased so as to give not less than sixteen feet in the clear over the railroad track as at present constructed in Front Street, and not less than seventeen feet in the clear over the railroad track as at present constructed in Water Street; and upon the further condition that said bridge company accept the terms and conditions of said ordinance, as herein amended, by a communication in writing within ten days from the date of the passage of this ordinance.

NO. 1043. Passed March 20, 1896.

Granting to the Gaff estate privilege to erect bridge across Pugh Alley, between Central Avenue and John Street.

Be it ordained by the Board of Legislation of Cincinnati:

That permission be and the same is hereby granted to the Gaff estate of Cincinnati, Ohio, to erect a bridge not over six feet in width across Pugh Alley, between John Street and Central Avenue, for the purpose of connecting their buildings; said bridge to be not less than twenty-six feet above curb, and built so as not to obstruct or interfere with travel through said alley.

NO. 68. Passed September 27, 1897.

Granting to the Munro Turkish Bath Company permission to erect a bridge across L'Hommedieu Alley, connecting buildings on either side thereof.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission be and the same is hereby granted the Munro Turkish Bath Company to erect a bridge not ex-

ceeding four feet in width across L'Hommedieu Alley, between College Street and Race Street, for the purpose of connecting their buildings on either side of said alley; said bridge to be not less than sixteen feet above the curb of said alley, and said bridge to be built so as not to obstruct or interfere with ordinary travel through said alley.

NO. 247. Passed November 21, 1898.

Authorizing the erection of bridges across Summer Street, connecting the second, third, and fourth floors of buildings of the Anchor Buggy Company.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Anchor Buggy Company is hereby authorized to erect and maintain bridges over and across Summer Street for the purpose of connecting the second, third, and fourth floors of the four-story brick buildings used in their business on the east and west sides of said street, north of South Street.

SEC. 2. Said bridges shall be each not more than twelve feet in width. The bridge connecting the second floors of said buildings shall be erected at a height of not less than thirteen feet above the surface of said Summer Street.

SEC. 3. These bridges shall be constructed upon plans to be approved by the inspector of buildings and by the chief engineer of the Board of City Affairs.

NO. 256. Passed December 27, 1898.

To authorize erection of bridge over and across Clearwater Street.

Be it ordained by the Board of Legislation of Cincinnati:

That permission is hereby granted to John Hoffmann to erect and maintain a bridge over and across Clearwater Street, at a height of not less than twenty feet above the surface of said street, to connect buildings on the northwest and southwest corners of Clearwater and Baymiller streets, under the direction and to the satisfaction of the inspector of buildings and chief engineer of the Board of City Affairs.

NO. 290. Passed April 17, 1899.

Granting to the L. Schreiber & Sons Company permission to erect a bridge across Culvert Street, connecting buildings on either side thereof.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That permission be and the same is hereby granted to the L. Schreiber & Sons Company to erect a bridge, not exceeding six feet in width, over Culvert Street, between Seventh and Eighth streets, for the purpose of connecting their buildings on either side of said street; said bridge to connect the third floors of said buildings at a height of not less than twenty-five feet above the curb of said street, and to be built so as not to obstruct or interfere with ordinary travel through said street.

NO. 818. Passed February 24, 1902.

To authorize the Lunkenheimer Company to erect bridges across Lawnway Avenue, between Waverly Avenue and Tremont Street, connecting the buildings of said company on the east and west sides of Lawnway Avenue.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That permission be and the same is hereby granted the Lunkenheimer Company of Cincinnati to erect and maintain bridges over and across Lawnway Avenue, between Waverly Avenue and Tremont Street. in Fairmount, for the purpose of connecting the factory buildings belonging to said company, which are situated on the east and west sides of said Lawnway Avenue, and said bridges to be used in conjunction with business of said company in said factory buildings.

SEC. 2. That said bridges shall be so constructed and to be at such a height as not to interfere with the use of Lawnway Avenue, and at a proper height above the surface of said avenue, and said bridges to be constructed upon plans to be approved by the chief engineer of the Board of Public Service of the city of Cincinnati.

NO. 830. Passed April 21, 1902.

To authorize the construction of a bridge over and across Wade Street to connect buildings of the Windisch-Muhlhauser Brewing Company.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That permission is hereby granted to the Windisch-Muhlhauser Brewing Company to erect and maintain a bridge over and across Wade Street, between Plum and Providence streets, for the purpose of connecting their premises now in use on the north side of Wade Street with their buildings in course of construction on the south side of Wade Street.

SEC. 2. Said bridge shall be not less than twenty-one feet above the surface of Wade Street, with an interior width of six feet, resting upon I beams, with iron pipe rails at sides.

SEC. 3. The construction of said bridge shall be under the supervision and to the satisfaction of the chief engineer of the Board of Public Service and the inspector of buildings.

NO. 46. Passed June 15, 1903.

Granting to J. Bauer the right to have and maintain a bridge over and a tunnel under German Alley, near its north end.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That J. Bauer be and he is hereby granted the right to connect the building now owned by himself on Main Street with a factory and bakery to be built at Nos. 1316 and 1318 Clay Street by constructing a bridge across German Alley near its north end, and by constructing a tunnel not to exceed five feet in width under said German Alley near its north end, said bridge to be built not less than twenty feet above the surface of said alley, and said tunnel to be made not less than ten feet below the surface of said alley, both bridge and tunnel to be built and constructed according to plans which must first be submitted to and approved by the chief engineer of the city.

SEC. 2. No part of said bridge shall rest upon said alley, but shall be supported wholly by the property of said J. Bauer ;

and said bridge to be built so as not to obstruct or interfere with ordinary travel through said alley.

SEC. 3. This right is granted on the express condition that said J. Bauer shall put up proper supports and arching to carry the surface of the alley over said tunnel, and repair any or all damage that may be done to the surface or paving of said alley at the time of building such tunnel or thereafter up to the time of the expiration of this grant.

SEC. 4. This right shall be for the period of twenty years, and shall then expire; provided, however, that in the event of its interfering at any time with the contract obligations of the city of Cincinnati, or with the regular and legitimate operations of any of its departments, or with any improvements either above or below the surface of said alley which the city may see fit to make, then and in that event said rights shall cease and determine.

NO. 225. Passed November 23, 1903.

Granting Shannon & Sokup permission to erect a balcony over sidewalk.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That Shannon & Sokup are hereby authorized to erect and maintain a balcony over the sidewalk in front of the premises Nos. 118-120 West Fifth Street.

SEC. 2. Said balcony shall be of the height of at least seventeen feet over the sidewalk, supported by two upright iron posts placed on the sidewalk in front of said premises at the curb-line, one near the east and one near the west line of said premises.

SEC. 3. Said balcony and said posts shall be of such material and workmanship and so constructed that the same shall at all times be safe, and shall in no manner interfere with the travel over said walk, and shall be constructed under the supervision of the building inspector.

SEC. 4. This grant shall extend for the period of ten years, at which time the balcony and posts shall be removed; and

if at any time the said balcony or posts interfere with any contract rights of the city, or in any way interfere with the performance of any duty or obligation of any department of the city, the same may be ordered removed, and the said Shannon & Sokup shall cause the same to be removed.

SEC. 5. Upon the erection of said balcony the present arch and the posts sustaining the same in front of said premises shall be removed.

NO. 4220. Passed June 28, 1889.

To regulate the construction of buildings.

Be it ordained by the Common Council of Cincinnati:

SEC. 1. That all applications for the use of streets or other spaces belonging to the city for the purpose of depositing building material thereon shall be made to the inspector of buildings, subject to the approval of the Board of Public Affairs, describing the ground and the length of time of such intended occupation. Permits for the use of streets and other public spaces shall not be granted for a longer time than four months, but may be renewed from time to time at the discretion of the inspector of buildings, subject to the approval of the Board of Public Affairs, such renewal not being for more than four months at one time. Material shall not be deposited nearer the street-car tracks than four feet, and the outside line of material so deposited shall not extend into the street further than one third the width of said street; the gutter to be kept clean and free of all obstruction; the permit to specify the ground occupied, which must be in front of the premises to be built upon, unless more space is absolutely required.

SEC. 2. It shall be unlawful to erect and use any derrick or hoisting apparatus that exceeds twenty feet in height on any street or sidewalk of the said city for the purpose of erecting, changing, or repairing any building or structure within the limits of the said city, except a special permit be issued by the inspector of buildings, approved by the Board of Public

Affairs; said permit to be issued under such conditions as may be required by the inspector of buildings and Board of Public Affairs.

SEC. 3. Whenever any person or persons or corporation shall be about to erect, change, or repair any building within five feet of the line of a traveled street, said person or persons or corporation shall build and maintain a temporary sidewalk (or bridge if there is an area under permanent sidewalk) not less than four feet wide, nor more than six feet wide, contiguous to the lot-line of the premises on which the building is to be erected. This sidewalk (or bridge) shall be constructed in such manner as the inspector of buildings shall direct, and when the said building is one story high shall be roofed and provided with barricades so as to completely protect the passerby.

SEC. 4. That any person, firm, or corporation, either as owner, contractor, or architect, or any agent, trustee, director, officer, or employee of any person, firm, or corporation, who violates or authorizes a violation of any provision of this ordinance, shall be guilty of a misdemeanor, and be fined not less than five dollars nor more than one hundred dollars, in the discretion of the court.

SEC. 5. All ordinances or parts of ordinances in conflict with this ordinance be and the same are hereby repealed.

NO. 587. Passed December 17, 1890.

Requiring the owner or owners of buildings hereafter to be erected for tenement purposes, and of buildings hereafter to be remodeled into houses for tenement purposes, to provide suitable and separate compartments containing bath-tubs in such buildings and houses for the exclusive use of tenants.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That in every building that may be hereafter erected for tenement purposes, and in all buildings hereafter to be remodeled into houses for tenement purposes, there shall be one compartment containing a bath-tub for each tenement or suite

of rooms having its own independent hallway, and so separated that such tenement or suite of rooms shall not open into or connect with any other tenement or suite of rooms, and in houses which may hereafter be erected for tenement purposes, or which may be remodeled into houses for tenement purposes, and which may be so constructed or remodeled that a tenement may consist of a single room or two rooms, there shall be at least one compartment for bathing purposes for every three such rooms.

SEC. 2. Every such compartment to have an entirely independent hall entrance, and shall contain a bath-tub with a stationary shower-bath connection of hot or cold water supply; bath-tub is to be made of non-absorbent material, to have at least 1½-inch waste (properly trapped and vented), and all plumbing to be left open and exposed. The floor of such compartment to be constructed of or covered with non-absorbent material, and shall have a base or wainscot of same material at least twelve inches high, same to have at least 1½-inch waste (properly trapped and vented), with brass strainer on waste.

SEC. 3. The inspector of buildings is hereby charged with the duty of seeing that the provisions of this ordinance are observed and enforced. He shall notify in writing the owner, agent, or lessee of any property affected by the provisions of this ordinance to comply therewith.

SEC. 4. Any person, either as owner, agent, or lessee, who shall erect, alter, or construct such tenement-house, or who shall let or rent for tenement purpose any building except in conformity with the provisions of this ordinance, shall be guilty of a misdemeanor, and on conviction thereof be sentenced to an imprisonment not exceeding three months, or to pay a fine not exceeding five hundred dollars, or both, in the discretion of the court or judge imposing the same.

SEC. 5. The term "tenement-house" in this ordinance shall be taken to mean every building which, or a portion of which, is occupied or is to be occupied as a residence by three or more families living independently of each other, and doing the cooking upon the premises.

NO. 970. Passed August 9, 1895.

**To protect the streets, sidewalks, lanes, alleys, and public spaces
in the City of Cincinnati.**

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful for the owner, lessee, occupant, or tenant of any building to allow any open areas, railings, steps, show-windows or cases, or any portion of a building or other structure to extend beyond the line of any street or alley under ten feet above the level of the curb-line opposite the center of such projection, and above the said ten feet as herein provided.

SEC. 2. It shall be unlawful for the owner, lessee, occupant, or tenant of any building to build or cause to be built any oriels, balconies, turrets, towers, or other portions of a building or structure, other than pilasters, cornices, and mouldings, above said ten feet, beyond lines drawn from the intersection of the party-lines and building-line at an angle of twenty-two and a half degrees with the latter, and to a distance of not more than one fourth of the width of the sidewalk beyond said building-line; provided that in no case shall said projection exceed fifteen feet in width, and provided further that such projection shall begin not less than three feet from the party-lines; and where there are two or more such projections an intermediate space of not less than six feet shall be left between such consecutive projections, but at the corners of streets or alleys such projections shall not extend beyond one fourth the width of the sidewalk of the respective streets or alleys.

SEC. 3. It shall be unlawful for the owner, lessee, occupant, or tenant of any building to permit bases, capitals, corbels, mouldings, sculpture, and other decorative features which are part of the construction of a building or other structure to project more than eight inches beyond the building-line below the said ten feet, as provided for in Section 1.

SEC. 4. All ordinances or parts of ordinances inconsistent with this ordinance be and the same are hereby repealed.

SEC. 5. Any person violating any of the provisions of this ordinance shall on conviction be fined in any sum not exceeding one hundred dollars, together with the costs of prosecution. Every day on which this ordinance is violated shall constitute a separate violation, and the penalty on conviction of every such separate violation shall be a sum not exceeding one hundred dollars, together with the costs of prosecution.

NO. 1075. Passed July 20, 1896.

To regulate the ventilation of all cellars and basements within the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

That it shall be the duty of the building inspector to have all cellars and basements properly ventilated, so as all poisonous air shall escape from the cellars and basements, and thereby stop the danger from any explosion. Any property-holder or lessee of any property failing to have their cellars ventilated within thirty days after the property-holder, his agent, or the lessee of the property have been notified by the building inspector or assistant building inspector, shall be deemed guilty of violating a city ordinance, and upon conviction in the Police Court shall be fined not more than fifty dollars.

No. 218. Passed August 15, 1898.

To provide for the construction of, repair of, alteration in, and addition to buildings; to provide for the construction and erection of elevators and fire-escapes in and upon buildings; to provide for the removal and repair of insecure buildings; and to provide for the appointment of an inspector or inspectors of buildings.

[Amended as to Sec. 2 by Ord. No. 861, passed June 9, 1902; and as to Secs. 55, 62, 66, 69, and 71, by Ord. No. 269, passed February 13, 1899; and as to Sec. 3, by Ord. No. 734, passed September 30, 1901; and as to Sec. 6, by Ord. No. 864, passed June 9, 1902; and as to Secs. 43-51 inclusive, by Ord. No. 142, passed Sept. 9, 1903, following this Ordinance.]

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the mayor of the city of Cincinnati shall appoint, subject to the confirmation of the Board of Legislation, an inspector of buildings, who shall be a resident and an elector of the city of Cincinnati, and who shall have been an architect or builder of at least five years' experience next preceding his appointment, who shall hold said office for the term of one year next succeeding the date of his appointment and until his successor is duly appointed and qualified. Such inspector of buildings shall receive an annual salary of three thousand dollars, payable monthly, and he shall receive no other compensation whatsoever, and he shall devote his entire time solely to the duties of his office, and shall not be interested in any branch of the architectural, building, or any other business. All fees prescribed by this ordinance shall be paid to the city treasurer upon the order of the inspector of buildings.

SEC. 2. The mayor of the city of Cincinnati shall also appoint, subject to the confirmation of the Board of Legislation, one assistant inspector of buildings, who shall act as deputy inspector of buildings, who shall be a resident and an elector of the city of Cincinnati, and shall have at least five years' experience as an architect or builder, and whose salary shall be eighteen hundred dollars per annum, payable semi-monthly, and whose term of office shall be one year from the date of his appointment. The mayor of the city of Cincinnati shall also appoint, subject to the confirmation of the Board of Legislation, seven additional assistant or deputy in-

spectors of buildings, who shall be residents and electors of the city of Cincinnati, and who shall have at least five years' experience in some branch of the building trade; one of said seven additional assistant or deputy inspectors of buildings shall act as examiner of plans and as clerk, and his salary shall be fifteen hundred dollars per annum, payable semi-monthly; the other additional assistant or deputy inspectors of buildings shall each receive a salary of thirteen hundred dollars per annum, payable semi-monthly. All of said additional assistant or deputy inspectors of buildings shall serve for the term of one year from the date of their appointment; each shall devote his entire time and attention to the duties of his office, and shall not be engaged in any branch of architecture, building, or other business.

SEC. 3. That before entering upon his duties the inspector of buildings shall take an oath to faithfully and impartially perform the duties of his office, and shall execute a bond to the city of Cincinnati in the sum of five thousand dollars, with two or more sureties, to be approved by the mayor, conditioned for the faithful performance of his duties. Each of his said assistants shall execute bonds to the city of Cincinnati in the sum of one thousand dollars, to be approved by the mayor, conditioned for the faithful performance of his duties.

SEC. 4. That said inspector of buildings shall file a monthly report, under oath, with the mayor, on or before the tenth day of each month, for the month preceding, showing the number of permits issued and moneys received; he shall also report annually, on the first day of May, to the county auditor every new building erected, with a pertinent description thereof, the name and number of the street where located, and all improvements made upon old buildings in the city of Cincinnati; he shall also keep a record of the number, description, class, size, and cost of every building or structure erected in the city during his term of office for which permits were issued, and shall report the same to the Board of Legislation annually.

SEC. 5. That it shall be the duty of said inspector of buildings appointed under the provisions of this ordinance to

inspect any building or structure which may be in the course of construction or alteration within the limits of the city, and to see that each building or structure is being constructed or altered according to the provisions of this ordinance and all statutes and ordinances in force in this city. If the said inspector is served with a written notice by the owner, architect, contractor, or contractors of any building or structure to inspect said buildings in progress of construction or alteration, he shall do so promptly.

(a) The inspector of buildings shall when requested furnish preliminary information relative to the application or interpretation of any of the provisions of this ordinance, when the same is needed in the preparation of plans.

SEC. 6. It shall be the duty of the inspector to inspect any building or structure reported or believed to be unsafe or in an unsanitary condition, and if so found to notify the owner or agent of the owner of said structure, or the person or persons who have caused or who are causing such condition, to put the same into safe and sanitary condition within a reasonable time, to be fixed by the inspector. If after expiration of the time fixed in such notice the orders of the inspector are not complied with, then any and all such persons so notified shall be guilty of a misdemeanor and subject to the penalty provided for in Section 10 of this ordinance. In any case where the public safety requires immediate action, and in other cases where the order of the inspector is not complied with, the inspector may enter upon the premises, with such assistants as may be necessary, and cause any structure to be made secure without delay, and the owner of the property shall be liable for the expense thereof in an action to be instituted in the name of the city by said inspector.

SEC. 7. When any person or persons or corporation shall be desirous of erecting, repairing, changing, or altering any building or structure within the limits of the city of Cincinnati, except in case of repairs for maintenance not affecting the construction, sanitation, or other vital features of the building or structure, he or they shall make application at the

office of the inspector for a permit to do so, and shall furnish the inspector with a written statement, on blanks for the purpose, of the location, intended use, and approximate cost of the proposed building or structure, together with the plans and specifications of the same, which shall be delivered to the inspector, and remain in his custody a sufficient length of time to allow the necessary examination to be made, and the inspector shall also thereafter have access to the drawings and specifications when necessary. If it shall appear to the inspector that the laws and ordinances of the city are complied with, he shall give the permit asked for upon the payment of the fee hereinafter prescribed, and the inspector shall then stamp the plans and specifications, which stamp shall state that the plans and specifications have been duly examined and approved. After having been stamped, the plans and specifications shall not be altered without the approval of the inspector in any of their essential structural points during the progress of the work for which they are intended. The fees for building permits shall be as follows: The sum of one dollar for the permit, and an additional sum of one cent for each and every hundred cubic feet of contents of said buildings or structures; and for additions to buildings and structures, and for alterations to old buildings or structures the cost of which is one thousand dollars or over, the sum of two dollars per one thousand dollars or fractional part thereof to be charged in addition to the sum of one dollar for the permit; for alterations to old buildings or structures the cost of which is less than one thousand dollars the sum of one dollar for the permit only will be charged; and for all buildings of the nature of sheds there shall be charged one dollar for the permit and an additional sum of one half cent for each and every hundred cubic feet of contents of said shed.

SEC. 8. Blank forms for the detailed statement as herein required shall be provided at the office of the inspector, which the applicant for a permit shall fill out, and the owner or his agent shall sign the agreement contained in said statement, to the effect that he will construct the proposed building or

structure in accordance with the plans and specifications which shall be submitted therewith, and it shall not be lawful to proceed to construct, alter, or repair any building or structure within the limits of the city of Cincinnati without such permit.

(a) There shall be a board, to be known as the Board of Reference of the Department of Buildings, and this board shall consist of three members—one an architect, one a civil or construction engineer, and one a builder—and each to be appointed by the mayor, with the approval of the Board of Legislation. Members of the board of reference are to be subject to discharge by the mayor for malfeasance, misfeasance, or nonfeasance in office. The members of the board of reference are each to serve for the term of one year from and after the date of their appointment, or until their respective successors are appointed and qualified. Each member of the board of reference shall take an oath to faithfully perform his duties, and shall also furnish bond to the amount of five thousand dollars. The board of reference shall have such use of the office of the inspector and the services of his clerk as they may require.

(b) The inspector shall pass on questions arising under this ordinance; but in case of dissatisfaction with a decision of the inspector the question may be referred to the board of reference, and a decision of a majority of the board shall decide the question at issue.

(c) Each member of the board of reference shall be paid a fee of five dollars and all necessary expenses by the party referring a question to them; said fees to accompany the reference.

SEC. 9. Permits issued by the inspector shall be subject to revocation should he be convinced that the work done under the same is proceeding in violation of law. Revocation of a permit shall be in writing, and shall be served on the owner, superintendent, or contractor in charge of the work, or posted on the property; and from and after such revocation of the permit until the same is duly withdrawn work on or in said structure or building shall cease.

SEC. 10. Any person, firm, or corporation, either as owner, contractor, or architect, or any agent, trustee, officer, or employee of any person, firm, or corporation, who violates or authorizes a violation of any provision of this ordinance, shall be guilty of a misdemeanor, and be subject to a fine not exceeding the sum of one thousand dollars, in the discretion of the court or judge imposing the same.

SEC. 11. In this ordinance the following terms shall have the meanings respectively assigned to them:

(a) "Public buildings" means every building used as a church, college, school, theater, public hospital, public hall, or for any public assemblage or use.

(b) "Buildings of the warehouse class" shall comprise buildings used for the storage of merchandise, or in which machinery for manufacturing purposes is operated.

(c) "Buildings of the dwelling-house class" shall comprise all buildings except public buildings and buildings of the warehouse class.

(d) "External wall" means every outer wall or vertical inclosure of any building not being a party wall.

(e) "Party wall" means a wall that separates two or more buildings, and is used or to be used jointly by said separate buildings.

(f) "Division wall" means a wall that separates one part of any building from another part of the same building, and is not a bearing wall.

(g) "Division bearing wall" means a division wall that carries or sustains the weight of floor or roof.

(h) "The base of a wall" means the course or level immediately above the foundation wall.

(i) "Footing course" means a projecting course or courses under any foundation.

(j) By "cement mortar" is meant a mixture of cement and sand properly tempered with water.

(k) By "fire-limits" is meant the fire-limits of the city as established, from time to time, by the proper authorities.

SEC. 12. Plastering on wooden lath shall not, for the purposes of this ordinance, be considered as an incombustible covering; and in order that plastering on metal lath may be considered as an incombustible covering on wooden construction or wooden furring, suitable fire-checks shall be introduced.

SEC. 13. All buildings or structures hereafter erected within the fire-limits of the city of Cincinnati shall be inclosed with walls constructed of brick, stone, or other incombustible material. No wooden building shall be removed to any lot within the fire-limits where it would be in violation of law to build such wooden building.

SEC. 14. The following buildings and structures are exempt from the provisions of the preceding section, unless in any particular case and under existing circumstances the risk incurred thereby would be extra hazardous: Buildings not exceeding twelve feet in height, and with walls and roofs covered externally with incombustible material; isolated elevators for the storage of coal or grain, and having walls and roofs covered with incombustible material; and isolated privies or sheds not exceeding ten feet in height.

SEC. 15. The foundations of all buildings and structures shall rest upon solid natural ground, concrete, or other solid and approved substructure.

SEC. 16. Whenever any old building shall, in the opinion of the inspector, be torn down, burned down, or otherwise destroyed to an extent exceeding two thirds the cubic contents of such building, the rebuilding thereof shall be treated as the erection of a new building; and shall be made throughout to conform to the regulations and provisions of this ordinance.

SEC. 17. External, division bearing, and party walls shall be made of the thickness shown in the following tables, arranged according to the height and length of the walls up to one hundred feet in height, and for additional heights the walls must be proportionally increased in thickness as approved:

TABLE No. 1 — DWELLING - HOUSE CLASS.

| HEIGHT UP TO..... | 26 FEET. | | 36 Ft. | 48 FEET. | | 60 FEET. | | 72 FEET. | | 84 FEET. | | 100 FEET. | |
|---------------------------|--|------------|--------|----------|------------|----------|--------|----------|--------|----------|--------|-----------|------------|
| LENGTH UP TO..... | 37 feet. | Unlimited. | | 50 feet. | Unlimited. | A | 17 in. | A | 17 in. | A | 17 in. | 50 Feet. | Unlimited. |
| | From base to top of wall, 9 inches. | | A | ..... | 17 in. | A | ..... | A | ..... | A | ..... | 50 Feet. | Unlimited. |
| One story ..... | ..... |  | A | ..... | 17 in. | A | ..... | A | ..... | A | 21 in. | A | 21 in. |
| Two stories..... | ..... |  | ..... | ..... | ..... | ..... | 17 in. | ..... | 17 in. | ..... | ..... | ..... | 21 in. |
| Three stories..... | ..... |  | ..... | ..... | ..... | ..... | ..... | ..... | 17 in. | 17 in. | ..... | ..... | ..... |
| Four stories..... | ..... |  | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 17 in. | 17 in. |
| Topmost story..... | 9 in. | | 9 in. | 9 in. | 9 in. | 9 in. | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Wall below topmost story. | 13 in | | 13 in. | 13 in. | 13 in. | 13 in. | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Remainder | 9 in. | | 9 in. | 9 in. | 9 in. | 9 in. | 13 in. | 13 in. | 13 in. | 13 in. | 13 in. | 13 in. | 13 in. |

TABLE No. 2 — WAREHOUSE CLASS.

| HEIGHT UP TO..... | 36 FEET. | | 48 FEET. | | 60 FEET. | | 72 FEET. | | 84 FEET. | | 100 FEET. | |
|----------------------------|----------|---|----------|------------|----------|------------|----------|------------|----------|------------|-----------|------------|
| | 50 Feet. | Unlimited. | 50 Feet. | Unlimited. | 50 Feet. | Unlimited. | 50 Feet. | Unlimited. | 50 Feet. | Unlimited. | 50 Feet. | Unlimited. |
| LENGTH UP TO..... | | | | | | | | | | | | |
| Topmost story..... | A | From base to top of wall, 13 inches. | A | 9 in. | A | ..... | A | ..... | A | ..... | ..... | 13 in. |
| Two topmost stories..... | ..... | ..... | ..... | ..... | ..... | 13 in. | ..... | 13 in. | ..... | 13 in. | ..... | ..... |
| Three topmost stories..... | ..... | ..... | ..... | ..... | 13 in. | ..... | 13 in. | ..... | ..... | ..... | ..... | ..... |
| First story..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Two stories..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 21 in. |
| Four stories..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 17 in. | 17 in. | 17 in. | 17 in. |
| Remainder | 13 in. | ..... | 13 in. | 13 in. | 17 in. | 17 in. | 17 in. | 17 in. | 21 in. | 21 in. | 21 in. | 26 in. |

Walls of steel skeleton or other approved special construction are not to be regulated by the thickness called for in the tables; but throughout such buildings shall be constructed in accordance with the rules of recognized authorities and the best engineering practice.

(a) Walls built of stone not having smooth and level beds and squared ends shall be not less than one fourth thicker than called for by the foregoing tables.

(b) The height of a topmost story shall be measured from the level of its floor up to the underside of the ceiling joist or "collar" beams forming a tie to the roof, or up to the vertical height of the rafters when the roof has no such tie, and the height of any other story shall be the clear height of such story.

(c) The height of every external, party, and division bearing wall shall be measured from the base of the wall to the level of the top of the topmost story, but in no case higher than the actual top of the wall.

(d) Walls are deemed to be divided into distinct lengths by intersecting walls, and the length of a wall is measured from one intersecting wall to another; provided that such intersecting walls are not less than two thirds the height and thickness of the wall they are considered to divide, and of proper proportionate length.

(e) Walls not having intersecting walls at the ends must have the ends otherwise made secure latterly.

(f) Division walls shall not be less than two thirds the thickness of the party or external walls of the same heights and lengths, but never less than nine inches thick, except where not more than twelve feet high, or where approved special construction is used.

(g) If the recesses or openings in a wall unduly weaken same, the thickness of such wall shall be proportionally increased or otherwise strengthened as approved.

(h) Recesses and chases for elevators, pipes, etc., may be made in walls, provided that in party and external walls backs

of recesses and chases shall not be less than eight inches thick, and in division walls not less than four inches thick, and chases and recesses shall be of such width and so spaced as not to unduly weaken the wall, or the wall shall be proportionally increased in thickness or otherwise strengthened as approved.

(i) If the center of any external or party wall is not more than twenty-five feet distant from the center of any other external or party wall to which it is tied at each floor and the roof, the length of such wall is not to be taken into consideration, and the thickness of the wall will be found in the column marked "A" in the tables.

(j) If any story exceeds in height sixteen times the thickness prescribed for the walls of such story in the tables, the thickness of the walls shall be proportionally increased, or the walls otherwise strengthened as approved.

(k) No story inclosed with wall less than thirteen inches in thickness shall be more than fifteen feet in height, except to be of approved special construction.

(l) Walls constructed of brick, stone, or other such material shall be solidly put together with good mortar and properly bonded.

(m) Strong cement mortar must be used for the foundations of buildings more than three stories in height.

(n) Footings, piers, posts, columns, joists, girders, trusses, and other structural parts or features of buildings shall conform in size and strength to the rules and requirements of recognized authorities.

(o) In all cases materials used in buildings must be of good standard quality as to strength.

SEC. 18. Should it be desired to add to the height of a building or structure already erected, even though in such case the rules as to thickness of walls would not be strictly complied with, the same may be done in a safe manner as approved by the inspector.

SEC. 19. Whenever any owner shall be about to erect or alter the external walls of a building within five feet of the

line of a traveled street, said owner shall, when so directed by the inspector, cause the portion of said site of said building bordering on said street to be inclosed by a suitable fence, located at least seven feet from the line of such building; and if such fence shall prevent passage on the sidewalk, shall lay and maintain a suitable sidewalk around the same; also, where deemed necessary for the safety of the public, the sidewalk must be temporarily roofed over as the inspector may direct.

SEC. 20. Scaffolding, staging, hoists, and such other appurtenances of building operations must be amply strong and secure for the purposes intended.

SEC. 21. When the owner of any lot or land digs or causes to be dug any cellar or other excavation, he shall protect the adjacent streets and alleys, and also the adjoining property, and due notice must be given the owner or occupant of adjoining property at all likely to be affected by such excavation. The owner of adjoining property shall allow such access to his property as may be necessary for any required shoring and underpinning, and such work shall be done with all reasonable dispatch.

SEC. 22. Proper foundation walls, piers, posts or columns, and their footings of masonry, concrete, or other approved material, shall be provided for the support of buildings and structures. Foundation walls built of brick or of stone, with smooth, level beds and squared ends, shall be at least four inches thicker than the base of the wall of the story next above them, and for each additional twelve feet or fraction thereof in depth below the first twelve feet every foundation wall shall be increased four inches in thickness, and foundation walls and area walls shall also in all cases be sufficiently heavy or rigid to resist the thrust of the surrounding ground. Foundation walls built of stone not having smooth, level beds and squared ends must throughout be still four inches thicker than above prescribed. The bottom of foundation or footings of external walls or piers shall be at least three feet below the ground surface exposed to frost, and all walls and

piers shall begin at least six inches below the level of the excavation of the cellar.

SEC. 23. Any person desirous of utilizing the space under the sidewalk abutting his property shall construct sufficient retaining - walls to support the roadway and sidewalk, and cover such space with a strong and suitable sidewalk. No plain surface of glass or iron greater than two and a half inches in diameter shall be placed in any sidewalk. Doors in sidewalks shall close down flush with same, and shall not extend beyond the property line more than one third the width of the sidewalk.

SEC. 24. In buildings with walls faced with cut stone, terra cotta, pressed brick, or any such material, the facing shall have a backing of brick or other masonry of the thickness specified for walls where no facing is used, unless the facing is bonded thoroughly into the backing in an approved manner, in which case the facing may be taken into consideration in measuring the thickness of the wall.

SEC. 25. Outside the fire-limits, frame buildings veneered with brick, terra cotta, or such material, if not more than three stories in height, may be erected, and the veneering must be properly secured.

SEC. 26. External and party walls above the ground floor shall be securely anchored, at least every eight feet, to each tier of joists by means of approved anchors, and the anchorage must be made continuous between walls. Walls not carried up together must be anchored, at least every six feet in their height, by good and sufficient metal anchors.

SEC. 27. No smoke-flue of brick shall be built with less than a four-inch inclosing wall, and shall be lined with terra-cotta fire-clay lining, or carefully pointed on the inside. Flues must be plastered on the outside where within two inches of any woodwork. All brick surrounding smoke-flues must be laid with thoroughly slushed beds and joints. Chimneys where there are no smoke-flues shall be built solid unless otherwise permitted by the inspector.

(a) In the construction of fireplaces no finished jamb or back shall be less than eight inches thick, and a brick arch or sufficient metal bar shall be provided over the opening to support the breast.

(b) Hearths of open fireplaces shall be of tile or other incombustible substance, shall rest on brick trimmer arches or other approved fire-proof support, and shall not be less than eighteen inches wide in front of the breast.

(c) The above requirements for smoke-flues, fireplaces, and hearths are not obligatory in cases provided for the exclusive use of gas or electricity for heating purposes, in which cases special provisions shall be permitted, with the approval of the inspector.

(d) Chimney-tops shall extend through the roof not less than four feet, and must in all cases be made rigid and secure.

(e) Every chimney not forming part of a wall shall rest upon the ground or other sufficient and approved foundation or support.

(f) Flues and smoke-stacks shall in all cases be constructed in a manner and of material approved as to strength and safety.

SEC. 28. In no building shall any timber or woodwork be placed within five inches of the inside face of a smoke-flue. Timbers in party walls and from opposite sides shall be separated from each other by approved fire-resisting material. Joists built into walls shall have the ends properly beveled. Every header over six feet long in floors constructed to carry more than one hundred pounds per square foot of surface shall be hung by means of approved metal hangers.

SEC. 29. In the fire-limits, party walls and walls along or within three feet of adjoining property lines must be carried not less than two feet above the roof at all points, and be properly coped.

SEC. 30. Buildings of the warehouse class, and also all factories, lodging-, tenement- and apartment-houses, and hotels more than two stories in height shall have in the roof a

suitable opening as an exit in case of fire. Such exit shall have a cover or door covered on the exterior with incombustible material and secured in place, but not locked, and the exit shall be made accessible by means of a suitable ladder or stairs properly secured, and shall be kept ready for use at all times. Skylights on roofs shall be protected by means of suitable guard-railing when deemed necessary by the inspector.

SEC. 31. Weather-covering of roofs within the fire-limits shall be of non-inflammable material and appendages; such as skylights, dormer-windows, cornices, gutters, mouldings, eaves, parapets, balconies, bay-windows, towers, spires, ventilators, turrets, lantern lights, and erections on roofs, if not wholly fireproof, shall be properly covered with approved incombustible material.

SEC. 32. In the erection of buildings in blocks of two or more, the said buildings shall have division or party walls entirely constructed of incombustible material, and said walls shall extend up at least to the underside of roof boards.

SEC. 33. Frame buildings to be used for tenement-houses, lodging-houses, apartment-houses, or hotels shall not be more than three stories in height, and all buildings for such purposes shall have partitions constructed of brick or other fire-resisting material at least sufficient to subdivide the floor-space in any story into areas not greater than two thousand square feet.

SEC. 34. Buildings shall be provided with proper rain-water conductors, and where rain-water is discharged to the street gutter it shall be through a drain underneath the sidewalk.

SEC. 35. Within the fire-limits, openings in walls of buildings in the warehouse class, located opposite any other building having openings, and not more than thirty feet distant, and openings in party walls of buildings of the warehouse class, shall be provided with approved fire-resisting doors, shutters, or windows.

SEC. 36. (a) Stationary boilers, heating-furnaces of all kinds, also every oven, vat, or stove used for heating or manufacturing

purposes, shall be set on suitable fire-resisting material, and all exposed woodwork or other combustible material must be thoroughly protected.

(b) Hot-air conductors built in between timbers or other combustible material must be thoroughly insulated.

(c) Every ceiling constructed of combustible material over a steam-boiler, heater, or furnace, or the breeching or smoke-pipe thereof, must be properly protected.

SEC. 37. Where elevators are inclosed within shafts, the shafts, together with the doors thereof, shall be constructed of or covered on both faces with fire-resisting material, and the shaft must extend through and at least two feet above the roof.

(a) The roof over an inclosed elevator shaft shall have a skylight of sheet glass at least one half the area of the shaft; such glass to be protected from falling, in case of breakage, by means of suitable wire screen. All exposed elevator openings through floors shall be protected by safety rails and gates.

SEC. 38. The inspector shall make regulations for the inspection of elevators with a view to the safety of the passengers and of those operating or using the elevators.

(a) It shall be the duty of the inspector to inspect all elevators every six months, and the fee for such inspection shall be two dollars in each case for each elevator, which amount shall be paid to the inspector by the person, firm, or corporation operating said elevator before granting the certificate which shall certify that inspection has been made and the condition of elevator approved, and no elevator shall be operated within the city of Cincinnati without such certificate.

SEC. 39. All buildings occupied by twenty-five or more persons, and of three or more stories in height, shall be provided with one or more suitable fire-escapes, and of such number, material, construction, and location as may be approved by the inspector, unless the stairways are direct and inclosed with walls constructed of or covered with incombustible material.

SEC. 40. Every building used for public entertainments or gatherings shall have suitable and ample means of exit, and ample space for the use of the audience in leaving the building.

SEC. 41. Every auditorium accommodating three hundred persons or less shall have at least two exits, and when accommodating from three to five hundred persons not less than three exits; and no doorway of exit for the use of the public shall be less than five feet in width, and for every one hundred persons additional or fraction thereof to be accommodated in excess of five hundred persons twenty inches additional exit capacity shall be provided.

SEC. 42. Distinct and separate places of exit shall be provided for each gallery above the first. A common place of exit may serve for the main floor of the auditorium and the first gallery, the latter to be provided with two independent staircases. Not less than two independent staircases with direct exterior outlets shall be provided for galleries above the first gallery, and shall be located on the opposite sides of the same, and the latter staircases shall be inclosed up to the floor to which they lead, and the inclosure shall be constructed of or covered with incombustible material.

SEC. 52. Every portion of a cellar to be occupied as a living- or sleeping-room shall be properly drained, lighted, and ventilated, and shall be at least $7\frac{1}{2}$ feet in clear height, and not less than $3\frac{1}{2}$ feet of the height shall be above the surface of the ground adjoining or nearest thereto.

SEC. 53. Every living- or sleeping-room hereafter constructed, except in the roof, shall be at least $7\frac{1}{2}$ feet high in the clear in every part of the same, and such rooms constructed in the roof of any building shall be at least $7\frac{1}{2}$ feet in clear for a space one half the area of the room.

SEC. 54. No building four stories or less in height to be used in whole or in part as a tenement-house, lodging-house, apartment-house, or hotel, and located on an inlot, shall cover more than ninety per cent of the lot above the first story,

and for each additional story the portion of the lot to be reserved for air and light shall be increased two and a half per cent.

(a) Every room in such building used as a sleeping- or living-room shall be properly lighted and ventilated.

(b) Light and air shafts for living- and sleeping-rooms shall be at least fifteen square feet in area for two-story houses, increased at least five square feet for each additional story, and never less than three feet wide in the clear. Shafts common to two houses shall be double the above areas.

SEC. 55. Every building shall be properly connected with the public sewer when such sewer is provided, and the drain to the sewer shall be supplied with a suitable main trap, which shall be properly ventilated through the roof on the house side of the trap by means of a suitable pipe of not less diameter than the trap, and all connections with the drain to the sewer shall be made on the house side of the main trap. The main trap shall be accessible for cleaning, and be provided with a suitable air-tight clean-out. *Provided*, however, that in the repair or alteration of a building heretofore constructed, the cost of which does not exceed one half the original cost of the building, said main trap may be ventilated by means of a five-inch pipe of approved material, and carried to a point two feet above surface of ground against wall of building; this pipe to have a cast-iron Y and return bend with the opening downward connected with the same for air inlet. The upper end of the Y must be connected with down-spout, the same to extend to highest gutter of building, the opening of which shall be at least three feet from any window or other opening. Where there is no down-spout conveniently accessible on such building heretofore constructed, then the said air inlet or vent from house-trap shall be not less than four inches in diameter, and carried up on inside or outside of building above highest point of gutter. If on inside of building, the pipe shall be of cast iron; if on outside, of cast iron or copper; joints to be made air- and water-tight.

SEC. 56. Rain-water conductors connected with drain to sewer or vault shall be separately trapped.

SEC. 57. Where there is no city sewer accessible a covered water-tight vault shall be provided, and where an overflow is desired from same the overflow shall be suitably filtered, and all connections with a vault shall be trapped as provided for sewer connections, and vaults shall be properly ventilated.

SEC. 58. In outlying districts suitable vaults may be built that are not water-tight, with the approval of the inspector.

SEC. 59. At any time the city shall construct a sewer which is accessible to abutting property, all systems of drainage shall be connected directly to same within a period not exceeding six months, and all permits for vaults or any other system of drainage shall become null and void.

SEC. 60. Underground drains shall be of vitrified stoneware, cast iron, or other suitable and approved material; and if the ground on which any drain is to be laid is not sufficiently solid, in the opinion of the inspector, such drain shall be supported in an approved manner. Drains shall be laid with suitable fall, and joints and connections of same shall be made tight, and shall also be smooth inside.

SEC. 61. The connection between a foundation drain and house drain shall be provided with a suitable back-pressure trap.

SEC. 62. Cesspools must be properly trapped.

(a) Where cesspools are used for cellar drain, the same are to be provided with a permanent water seal.

SEC. 63. Grease traps of an approved kind must be properly provided on the kitchen and pantry sink-wastes of hotels and restaurants.

SEC. 64. No steam-exhaust or blow-off pipe for a steam-boiler shall connect with any soil- or waste-pipe, or directly with any house drain.

SEC. 65. Every fixture having a waste-pipe shall be properly trapped, and the trap protected from siphonage by means of suitable vent-pipes, or in special cases, with the approval of the inspector, other approved appliances may be used.

SEC. 66. Every soil-, waste-, or vent-pipe must be cast iron, lead, copper, brass, or other approved material.

(a) Soil- and vent-pipes must extend at least two feet through the roof, except where a down-spout is used as a vent-pipe, as provided for in Section 55 of this ordinance; but in no case shall said soil- or vent-pipes, other than a down-spout used for ventilating, as provided in Section 55, open near a window or air shaft which ventilates living- or sleeping-rooms.

(b) Soil- and vent-pipes must be of proper proportionate size throughout, and never less than four inches in diameter above the roof, and the end must be properly screened with a copper-wire basket securely clamped to pipe.

(c) No vent-pipe shall be used as a waste- or soil-pipe, except in buildings heretofore constructed where a down-spout is used as a vent-pipe, as provided in Section 55 of this ordinance; but in such case said down-spout when used as a vent-pipe shall not be used for carrying off any water except such as naturally falls upon the roof of such building and is drained into said pipe.

SEC. 67. The minimum diameter of soil-pipe permitted for water-closet is three inches. A vertical waste-pipe into which two or more kitchen sinks discharge must be at least two inches in diameter, with $1\frac{1}{2}$ -inch branches to fixtures, and other waste-pipes must be of proper proportionate size.

SEC. 68. No room-vent or smoke-flues shall be used to ventilate any trap or soil-pipe.

SEC. 69. The joints of all pipes must be made secure, and must be successfully subjected to the water-pressure test in the presence of the inspector.

(a) All joints in the iron drain-pipes, soil-pipes, waste-pipes, and vent-pipes must be caulked up with oakum and molten lead. All connections of lead pipe with iron or brass pipe must be made with brass ferrule or nipple of the same size as the lead pipe, put in the hub of the iron pipe, and caulked with oakum and molten lead; the lead pipe must be attached to the ferrule or nipple by a wiped joint. All connections

of lead pipe must be wiped joints. When any soil-, vent-, or drain-pipe is to be increased or reduced, a proper increaser or reducer fitting is to be used; tail-end pieces shall not be used for that purpose.

SEC. 70. Waste-pipes from dip safes shall be run to some place in open sight, and in no case shall any such pipe be connected directly with a drain-, waste-, or soil-pipe. Waste-pipes from refrigerators or other receptacles for provisions shall not be connected with a drain-, waste-, or soil-pipe.

SEC. 71. All water-closets shall be supplied with water from suitable tanks, except that water-closets under special circumstances may be arranged to receive their supply directly from the main, with such fixtures as shall be approved by the inspector.

(a) Catch-basin water-closets may be constructed and used, and they may be connected with and their contents discharged into any city sewer. They must be constructed substantially on solid ground, and built of brick or sewer-pipe. If built of brick, the walls and bottom shall be at least nine inches thick, the brick to be hard-burned and laid in cement mortar, and the entire interior of basin shall be plastered with cement and must be water-tight. If built of sewer-pipe, all joints must be laid in cement mortar and water-tight, and have a nine-inch concrete bottom. All catch-basins must have a proper supply of water to allow them to be flushed out clean to the bottom. They must be constructed so that the contents shall not pass into the sewer without a sufficient supply of water passing into the sewer at the same time. The drainage for roof-, surface-, and waste-water, except waste from water-closets, may be connected with and discharged into this catch-basin, and the roof-, surface-, and waste-water from the house—but not water from water-closets—may be used for flushing them. These catch-basins may be used for a privy or water-closet. All pipes discharging into these catch-basins must either enter same just above the water-line or bottom of basin to prevent stirring up contents

of said basin. Each catch-basin shall be ventilated by a pipe or flue, and connected under seats constructed of proper material, which shall not be less than six inches in diameter, and shall be extended at least five feet above roof of house over catch-basins, provided such catch-basin is located to exceed fifteen feet from any building having windows or other openings facing same. Otherwise said vent-pipes must be carried not less than three feet above window-tops or other openings of any adjoining buildings. Rain-water conductors connected with catch-basins must be separately trapped when same opens immediately beneath or within three feet of a window or air shaft; otherwise traps on down-spouts leading to catch-basins may be left out to assist in ventilating catch-basins. This applies to catch-basins only.

SEC. 72. Every compartment containing a plumbing fixture must be properly ventilated to the open air by means of a window, shaft, or flues.

SEC. 73. No open area, railing, steps, show-window, or any portion of a building or structure shall project over a street or alley under ten feet above the level of the curb-line opposite the center of such projection.

(a) But bases, columns, pilasters, capitals, corbels, mouldings, sculpture, and other decorative features which are part of the construction may project eight inches beyond the building-line below the said ten feet.

(b) Above the said ten feet, oriels, balconies, turrets, towers, or other projections of a building or structure other than pilasters, cornices, and mouldings, shall not project beyond lines drawn from the intersection of the party-lines and building-line at an angle of $22\frac{1}{2}$ degrees with the latter, and shall not begin less than three feet from a party-line, and in no case shall project to a distance greater than one fourth the width of the sidewalk; and, except in case of balconies, shall not exceed twenty feet in width. Where there are two or more such projections an intermediate space of not less than five feet shall be left.

SEC. 74. All electrical wiring and apparatus within or attached to any building must be made safe and secure as against danger from fire and danger to human life, as approved by the inspector.

SEC. 75. All ordinances or parts of ordinances conflicting with this ordinance shall be and the same are hereby repealed.

NO. 142. Passed September 9, 1903.

To amend an ordinance entitled "An ordinance to provide for the construction of, repair of, alteration in, and addition to buildings, to provide for the construction and erection of elevators and fire-escapes in and upon buildings, to provide for the removal and repair of insecure buildings, and to provide for the appointment of an inspector or inspectors of buildings, passed August 15, 1898."

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That sections 43, 44, 45, 46, 47, 48, 49, 50, and 51 of an ordinance entitled "An ordinance to provide for the construction of, repair of, alteration in, and addition to buildings, to provide for the construction and erection of elevators and fire-escapes in and upon buildings, to provide for the removal and repair of insecure buildings, and to provide for the appointment of an inspector or inspectors of buildings," be amended so as to read as follows :

SEC. 43. In all buildings of a public character, such as hotels, theaters, restaurants, railroad depots, public halls, and other buildings, except churches, used or intended to be used for purposes of public assembly, amusement, or instruction, and including apartment stores and other business and manufacturing buildings, where large numbers of people are congregated, the halls, doors, stairways, seats, passageways, and aisles, and all lighting and heating appliances and apparatus, shall be arranged, as the inspector of buildings shall direct, to facilitate egress in case of fire or accident, and to afford the requisite and proper accommodation for the public protection in such cases. All aisles and passageways in said buildings shall be kept free from camp-stools, chairs, sofas, drop-seats, and other obstructions, and no person shall be allowed to stand in or occupy any

of said aisles or passageways during any performance, exhibition, lecture, concert, ball, or any public assemblage. The inspector of buildings having jurisdiction may at any time serve a written or printed notice upon the owner, lessee, or manager of said buildings, directing any act or thing to be done or provided in or about said buildings and the several appliances therewith connected, such as halls, doors, stairs, windows, seats, aisles, fire-walls, fire-apparatus, and fire-escapes, as he may deem necessary.

SEC. 44. Every theater or opera-house or other building intended to be used for theatrical or operatic purposes, or for public entertainments of any kind hereafter erected, for the accommodation of more than three hundred persons, shall be built to comply with the requirements of this section. No building which at the passage of this ordinance is not in actual use for theatrical or operatic purposes, and no building hereafter erected not in conformity with the requirements of this section, shall be used for theatrical or operatic purposes, or for public entertainments of any kind, until the same shall have been made to conform to the requirements of this section ; and no building hereinbefore described shall be open to the public for theatrical or operatic purposes, or for public entertainments of any kind, until the inspector of buildings shall have approved the same in writing as conforming to the requirements of this section. Every such building shall have at least one front on the street, and in such front there shall be suitable means of entrance and exit for the audience. In addition to the afore-said entrances and exits on the street there shall be reserved for service in case of an emergency an open court or space on the side not bordering on the street, where said building is located on a corner lot ; and on both sides of said building where there is but one frontage on the street. The width of such open court or courts shall not be less than ten feet in width where the seating capacity is eighteen hundred or above that number, and when less than eighteen hundred eight feet in width. Said open court or courts shall begin on a line with

the proscenium wall, and shall extend the length of the auditorium proper to or near the wall separating the same from the entrance lobby or vestibule. A separate and distinct corridor shall continue to the street from each open court through such superstructure as may be built on the street side of the auditorium, with continuous walls of brick or fireproof materials on each side of the entire length of said corridor or corridors, and the ceiling and floors shall be fireproof. Said corridor or corridors shall not be reduced in width to more than three feet less than the open court or courts, and there shall be no projection in the same; the outer openings to be provided with doors or gates opening toward the street. During the performance the doors or gates in the corridors shall be kept open by proper fastenings; at other times they may be closed and fastened by movable bolts or locks. The said open courts and corridors shall not be used for storage purposes, or for any purpose whatsoever except for exit and entrance from and to the auditorium and stage, and must be kept free and clear during performances. The level of said corridors at the front entrance to the building shall be not greater than one step above the level of the sidewalk where they begin at the street entrance. The entrance of the main front of the building shall not be on a higher level from the sidewalk than four steps, thirty-two inches, unless approved by the inspector of buildings.

To overcome any difference of level in and between courts, corridors, lobbies, passages, and aisles on the ground floor, gradients shall be employed of not over one foot in twelve, with no perpendicular risers. From the auditorium opening into said open courts or on the side street there shall be not less than two exits on each side in each tier from and including the parquet and each and every gallery. Each exit shall be at least five feet in width in the clear, and provided with doors of iron or wood; if of wood, the doors shall be battened and covered with tin. All of said doors shall open outwardly, and shall be fastened with movable bolts, the bolts to be kept drawn during performances. There shall be balconies not

less than four feet in width in the said open court or courts at each level or tier above the parquet, on each side of the auditorium, of sufficient length to embrace the two exits, and from said balconies there shall be staircases extending to the ground level, with a rise of not over nine inches to a step, and not less than nine inches tread exclusive of the nosing. The staircase from the upper balcony to the next below shall not be less than thirty-six inches in width in the clear, and from the first balcony to the ground the width shall be the same. All the before-mentioned balconies and staircases shall be constructed throughout of iron, including the floors, and of ample strength to sustain the load to be carried by them. Where one side of the building borders on the street there shall be balconies and staircases, of like capacity and kind as before mentioned, carried to the ground. When located on a corner lot that portion of the premises bordering on the side street, and not required for the use of the theater, may, if such portion be not more than twenty-five feet in width, be used for offices, stores, or apartments, provided the walls separating this portion from the theater proper are carried up solidly to and through the roof, and that a fireproof exit is provided for the theater, on each tier, equal to the combined width of exits opening on opposite sides on each tier, communicating with balconies and staircases leading to the street in manner provided elsewhere in this section; said exit passages shall be entirely cut off by brick walls from said offices, stores, and apartments, and the floors and ceilings in each tier shall be fireproof. No workshop, storage- or general property-room shall be allowed above the auditorium or stage, or under the same, or in any of the fly-galleries. All of said rooms or shops may be located in the rear or at the side of the stage, but in such cases they shall be separated from the stage by a brick wall, and the openings leading into said portions shall have fireproof doors hung on each side of the openings, hung to iron eyes built into the wall. No portion of any building hereafter erected or altered, used or intended to be used for

theatrical or other purposes as herein specified, shall be occupied or used as a hotel, boarding- or lodging-house, workshop or manufactory, or for storage purposes, except as may be hereafter specially provided for. Said restriction relates not only to that portion of the building which contains the auditorium and stage, but applies to the entire structure in conjunction therewith. No store or room contained in the building, or the offices, stores, or apartments adjoining, as aforesaid, shall be let or used for carrying on any business dealing in articles designated as specially hazardous in the classification of the Underwriters' Association of Cincinnati, or for manufacturing purposes. No lodging accommodations shall be allowed in any part of the building communicating with the auditorium. Interior walls built of fireproof materials shall separate the auditorium from the entrance vestibule and from any room or rooms over the same, also from any lobbies, corridors, refreshment, or other rooms. All staircases for the use of the audience shall be inclosed with walls of brick, or of fireproof materials approved by the inspector of buildings, in the stories through which they pass, and the openings to said staircases from each tier shall be the full width of said staircase. No door shall open immediately on a flight of stairs, but a landing at least the width of the door shall be provided between such stairs and such door. A fire-wall built of brick shall separate the auditorium from the stage, and the same shall extend at least four feet above the stage roof, or the auditorium roof, if the latter be higher, and shall be coped. Above the proscenium opening there shall be an iron girder of sufficient strength to safely support the load above, and the same shall be covered with fireproof materials to protect it from the heat. The moulded frame around the proscenium opening shall be formed entirely of fireproof materials; if metal be used, the metal shall be filled in solid with non-combustible material and securely anchored to the wall with iron. The proscenium opening shall be provided with a fireproof metal curtain, or a curtain of asbestos or other fireproof material,

approved by the inspector of buildings, sliding at each end within iron grooves, securely fastened to the brick wall, and extending into such grooves a depth of not less than six inches on each side of the opening. Said fireproof curtain shall be operated by approved machinery for that purpose. The proscenium curtains shall be placed at least three feet distant from the footlights at the nearest point. No doorway or opening through the proscenium wall from the auditorium shall be allowed above the level of the first floor, and such first-floor openings shall have fireproof doors, which shall be hung so as to be opened from either side at all times.

There shall be provided over the stage metal skylights of an area or combined area of at least one eighth the area of said stage, fitted with sliding sash and glazed with double sheet thick glass not exceeding one twelfth of an inch thick, and each pane thereof measuring not less than three hundred square inches, and the whole of which skylight shall be so constructed as to open instantly on the cutting or burning of a hempen cord, which shall be arranged to hold said skylight closed, or some other equally simple approved device for opening them may be provided. Immediately underneath the glass of said skylight there shall be wire netting, but wire glass may be used in lieu of this requirement. All that portion of the stage not comprised in the working of machinery, traps, and other mechanical apparatus for the presentation of a scene, usually equal to the width of the proscenium opening, shall be built of iron or steel beams, filled in between with fireproof material, and all girders for the support of said beams shall be of wrought iron or rolled steel. The fly-galleries entire, including pin-rails, shall be constructed of iron or steel, and the floors of said galleries shall be composed of iron or steel beams, and no wood boards or sleepers shall be used as a covering over beams, but the said floors shall be entirely fireproof. The rigging loft must also be fireproof. All stage scenery, curtains, and decorations made of combustible material, and all woodwork on or about the stage, shall be painted or saturated with some non-

combustible material or otherwise rendered safe against fire, and the finishing coat of paint applied to all woodwork throughout the building shall be of such kind as will resist fire to the satisfaction of the inspector of buildings. The roof over the auditorium and the entire main floor of the auditorium and vestibule, also the entire floor of the second story of the front superstructure over the entrance, lobby, and corridors, and all galleries and supports for the same in the auditorium, shall be constructed of iron or steel and fireproof materials, not excluding the use of wood floor-boards and necessary sleepers to fasten the same to, but such sleepers shall not mean timbers for support; and the space between the sleepers, except the portion under the stepping in the galleries, which shall be properly fire-stopped, shall be solidly filled with incombustible material up to the underside of the floor-boards. The fronts of each gallery shall be formed of fireproof materials, except the capping, which may be of wood. The ceiling under each gallery shall be entirely formed of fireproof materials. The ceiling of the auditorium shall be formed of fireproof materials. All lathing, whenever used, shall be of wire or other metal. The partitions in that portion of the building which contains the auditorium, the entrance and vestibule, and every room and passage devoted to the use of the audience, shall be constructed of fireproof materials, including the furring of outside or other walls. None of the walls or ceilings shall be covered with wood sheathing, canvas, or any combustible material. But this shall not exclude the use of wood wainscoting to a height not to exceed six feet, which shall be filled in solid between the wainscoting and the wall with fireproof materials. The walls separating the actors' dressing-rooms from the stage, and the partitions dividing the dressing-rooms, together with the partitions of every passageway from the same to the stage, and all other partitions on or about the stage, shall be constructed of fireproof material, approved by the inspector of buildings. All doors in any of the said partitions shall be fireproof. All shelving and cupboards in each and every dressing-room, property-

room, or other storage - rooms shall be constructed of metal, slate, or some fireproof material. Dressing - rooms may be placed in the fly-galleries, provided that proper exits are secured therefrom to fire-escapes in the open courts, and that the partitions and other matters pertaining to dressing-rooms shall conform to the requirements herein contained; but the stairs leading to the same shall be fireproof. All dressing-rooms shall have an independent exit leading directly to the court or street, and shall be ventilated by windows in the external wall, and no dressing-room shall be more than one story below the street level. All windows shall be arranged to open, and none of the windows in the outside walls shall have fixed sashes, iron grills, or bars. All seats in the auditorium except those contained in boxes shall not be less than thirty-two inches from back to back, measured in a horizontal direction, and firmly secured to the floor. No seat in the auditorium shall have more than twelve seats intervening between it, and an aisle on either side. No stool, seat, or drop-seat shall be placed in any aisle. All platforms in galleries formed to receive the seats shall be not more than twenty-one inches in height of riser nor less than thirty - two inches in width of platform. All aisles on the respective floors in the auditorium having seats on both sides of the same shall not be less than three feet wide where they begin, and shall be increased in width toward the exits in the ratio of one and one half inches to five running feet. All aisles having seats on one side only shall be not less than two feet wide at their beginning, and increased in width the same as aisles having seats on both sides. The aggregate capacity of the foyers, lobbies, corridors, passages, and rooms for the use of the audience, not including aisle space between seats, shall on each floor or gallery be sufficient to contain the entire number to be accommodated on said floor or gallery, in the ratio of one hundred and fifty superficial feet of floor room for every one hundred persons. Gradients or inclined planes shall be employed instead of steps where possible to overcome slight differences of level in or between aisles, corridors, and passages.

Every theater accommodating three hundred persons shall have at least two exits ; when accommodating five hundred persons at least three exits shall be provided ; these exits not referring to or including the exits to the open court at the side of the theater.

All doors of exit or entrance shall open outwardly, and shall be hung to swing in such manner as not to become an obstruction in a passage or corridor, and no such doors shall be closed and locked during any representation or when the building is opened to the public. Distinct and separate places of exit and entrance shall be provided for each gallery above the first. A common place of exit and entrance may serve for the main floor of the auditorium and the first gallery, provided its capacity be equal to the aggregate capacity of the outlets from the main floor and the said gallery. No passage leading to any stairway communicating with any entrance or exit shall be less than four feet in width in any part thereof. All stairs within the building shall be constructed of fireproof materials throughout. Stairs from balconies and galleries shall not communicate with the basement or cellar. All stairs shall have treads of uniform width and risers of uniform height throughout in each flight. Stairways serving for the exit of fifty people shall be at least four feet wide between railings, and for every additional seventy-five people to be accommodated six inches must be added to their width. The width of all stairs shall be measured in the clear between hand-rails. In no case shall risers exceed seven and one half inches in height, nor shall the treads, exclusive of nosings, be less than ten and one half inches wide in straight stairs. No circular or winding stairs for the use of the public shall be permitted. Where the seating capacity is for more than one thousand people there shall be at least two independent staircases, with direct exterior outlets provided for each gallery in the auditorium where there are not more than two galleries, and the same shall be located on opposite sides of said galleries. Where there are more than two galleries one or more additional staircases shall be provided, the outlets of which

shall communicate directly with the principal exit or other exterior outlets. All said staircases shall be of width proportionate to the seating capacity as elsewhere herein prescribed. Where the seating capacity is for one thousand people or less, two direct lines or staircases only shall be required, located on opposite sides of the galleries, and in both cases shall extend from sidewalk level to the upper gallery, with outlets from each gallery to each of said staircases. At least two independent staircases with direct exterior outlets shall also be provided for the service of the stage, and shall be located on opposite sides of the same. All inside stairways leading to the upper galleries of the auditorium shall be inclosed on both sides with walls of fireproof materials. Stairs leading to the first or lower gallery may be left open on one side, in which case they shall be constructed as herein provided for similar stairs leading from the entrance hall to the main floor of the auditorium. But in no case shall stairs leading to any gallery be left open on both sides. When straight stairs return directly on themselves a landing of the full width of both flights without any steps shall be provided.

The outer line of landings shall be curved to a radius of not less than two feet to avoid square angles. Stairs turning at an angle shall have a proper landing without winders introduced at said turn. In stairs, when the two side flights connect with one main flight, no winders shall be introduced, and the width of the main flight shall be at least equal to the aggregate width of the side flights. All stairs shall have proper landings introduced at convenient distances. All inclosed staircases shall have on both sides strong hand-rails firmly secured to the wall about three feet above the stairs, but said hand-rails shall not run on level platform and landings where the same is more in length than the width of the stairs. All staircases eight feet and over in width shall be provided with a center hand-rail of metal, not less than two inches in diameter, placed at a height of about three feet above the center of treads, and supported on wrought metal or brass standards of sufficient strength, placed

not nearer than four feet nor more than six feet apart, and securely bolted to treads or risers of stairs, or both, and at the head of each flight of stairs on each landing the post or standard shall be at least six feet in height, to which the rail shall be secured. Every steam-boiler which may be required for heating or other purposes shall be located outside of the building, and the space allotted to the same shall be inclosed with walls of masonry on all sides, and the ceiling of such space shall be constructed of fireproof materials. All doorways in said walls shall have fireproof doors. No floor register for heating shall be permitted. No coil or radiator shall be placed in any aisle or passageway used as an exit; but all said coils and radiators shall be placed in recesses formed in the wall or partition to receive the same. All supply, return, or exhaust pipes shall be properly encased and protected where passing through floors or near woodwork. Standpipes four inches in diameter shall be provided with hose attachments on every floor and gallery as follows, namely, one on each side of the auditorium in each tier, also on each side of the stage in each tier, and at least one in the property-room and one in the carpenter-shop if the same be contiguous to the building. All such standpipes shall be kept clear from obstruction. Standpipes shall be separate and distinct, receiving their supply of water direct from the power pump or pumps, and shall be fitted with the regulation couplings of the fire department, and shall be kept constantly filled with water by means of an automatic power pump or pumps, of sufficient capacity to supply all the lines of hose when operated simultaneously; and said pump or pumps shall be supplied from the street main, and be ready for immediate use at all times during a performance in said building. A separate and distinct system of automatic sprinklers, with fusible plugs, approved by the inspector of buildings, supplied with water from tank located on the roof over the stage, and not connected in any manner with the standpipes, shall be placed each side of the proscenium opening and on the ceiling or roof over the stage, at such intervals as will protect every

square foot of stage surface when said sprinklers are in operation. Automatic sprinklers shall also be placed, wherever practicable, in the dressing-rooms under the stage and in the carpenter-shop, paint-rooms, store-rooms, and property-rooms. A proper and sufficient quantity of 2½-inch hose, not less than one hundred feet in length, fitted with the regulation couplings of the fire department, and with nozzles attached thereto, and with hose spanners at each outlet, shall always be kept attached to each hose attachment, as the chief of the fire department may direct.

There shall also be kept in readiness for immediate use on the stage at least two casks full of water and two buckets to each cask. Said casks and buckets shall be painted red. There shall also be provided at least four axes and two 25-foot hooks, two 15-foot hooks, and two 10-foot hooks on each tier or floor of the stage. Every portion of the building devoted to the uses and accommodation of the public, also all outlets leading to the streets and including the open courts and corridors, shall be well and properly lighted during every performance, and the same shall remain lighted until the entire audience has left the premises. All gas or electric lights in the halls, corridors, lobby, or any other part of said buildings used by the audience, except the auditorium, must be controlled by a separate shutoff, located in the lobby and controlled only in that particular place. Gas-mains supplying the building shall have independent connections for the auditorium and the stage, and provision shall be made for shutting off the gas from the outside of the building. When interior gas-lights are not lighted by electricity other suitable appliances, approved by the inspector of buildings, shall be provided. All suspended or bracket lights, surrounded by glass in the auditorium or in any part of the building devoted to the public, shall be provided with proper wire netting underneath. No gas or electric light shall be inserted in the walls, woodwork, ceilings, or in any part of the building unless protected by fireproof materials. All lights in passages and corridors in said buildings, and

wherever deemed necessary by the inspector of buildings, shall be protected with proper wire network. The footlights, in addition to the wire network, shall be protected with a strong wire guard and chain, placed not less than two feet distant from said footlights, and the trough containing said footlights shall be formed of and surrounded by fireproof materials. All border-lights shall be constructed according to the best known methods and subjected to the approval of the inspector of buildings, and shall be suspended for ten feet with wire rope. All ducts or shafts used for conducting heated air from the main chandelier, or from any other light or lights, shall be constructed of metal and made double, with an air space between. All stage-lights shall have strong metal wire guards or screens, not less than ten inches in diameter, so constructed that any material in contact therewith shall be out of reach of the flames of said stage-lights, and must be soldered to the fixture in all cases.

The standpipes, gas-pipes, electric wires, hose, foot-lights, and all apparatus for the extinguishing of fire or guarding against the same, as herein specified, shall be in charge and under control of the fire department, and the Board of Public Safety is hereby directed to see that the arrangements in respect thereto are carried out and enforced. A diagram or plan of each tier, gallery, or floor, showing distinctly the exits therefrom, each occupying a space not less than fifteen square inches, shall be printed in black lines in a legible manner on the programme of the performance. Every exit shall have over the same on the inside the word "EXIT" painted in legible letters not less than eight inches high.

SEC. 2. That sections 43, 44, 45, 46, 47, 48, 49, 50, and 51 of an ordinance entitled "An ordinance to provide for the construction of, repair of, alteration in, and addition to buildings, to provide for the construction and erection of elevators and fire-escapes in and upon buildings, to provide for the removal and repair of insecure buildings, and to provide for the appointment of an inspector or inspectors of buildings, passed August 15, 1898," be and the same are hereby repealed.

No. 575. Passed November 19, 1900.

To provide for a Stenographer in the Department of Inspector of Buildings, as amended by Ordinance No. 861, passed June 9, 1902.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the mayor is hereby authorized to appoint a suitable person to act as stenographer in the office of the inspector of buildings, at a salary of sixty dollars per month, payable semi-monthly, whose term of office shall be one year.

No. 735. Passed September 30, 1901.

To provide for the inspection of ropes and other appliances used by contractors, as amended by Ordinance No. 861, passed June 9, 1902.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the inspector of buildings of this city, in addition to other duties now required of him by the laws and ordinances, shall from time to time inspect all the ropes made of materials other than metal and used by contractors to support the scaffolding upon which persons are required to stand or sit while in the performance of work for such contractors, and no rope made of materials other than metal or manila No. 1 shall be used by any contractor to support boards or scaffolding upon which persons are required to stand or sit while performing work for such contractors, nor until after the inspector of buildings or one of his assistants has inspected and approved such manila ropes within ninety days prior to such use; provided, however, that after any such rope has been used in and about any work involving the use of muriatic acid, ammoniacal acid, or any other fluid which has a tendency to rapidly decompose, consume, or weaken such ropes, then such ropes shall not be again used for any purpose requiring persons to be supported thereby until after the same have been submitted to the inspector of buildings for inspection, and been approved by him as sound and sufficient for the purpose intended. All ladders

and scaffolding used by contractors as aforesaid shall be examined to see that they are in good condition, and all contractors shall furnish rubber covering for ropes where acids are being used, or any other fluid tending to destroy ropes or wood. All hooks used by contractors shall be made of best iron. When such inspection has been made the inspector shall issue a permit as to such rope, ladder, or scaffolding, and fasten upon such rope a metal clamp, indicating by its number and the corresponding entries on his official record books the date of such inspection and approval. If in the opinion of the inspector any scaffolding or other appliance examined by him is unfit for use, the same shall be condemned.

SEC. 2. Every contractor who uses any rope, ladders, or scaffolding contrary to the provisions of this ordinance shall be fined the sum of not less than ten dollars nor more than fifty dollars for each day any rope, ladder, or scaffolding is so used contrary to the provisions of this ordinance.

SEC. 3. The mayor shall appoint an assistant at a salary of thirteen hundred dollars per year, whose duty it shall be to see that the provisions of this ordinance are complied with; such assistant shall be a practical man, who understands the construction of scaffolds and the making and splicing of ropes.

No. 610. Passed January 28, 1901.

To regulate the erection of fences and other structures within the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That no person, firm, corporation, or association shall erect, or cause or permit to be erected, within the city of Cincinnati any fence, sign-board, bill-board, or other structure to be used for advertising purposes without first obtaining a permit therefor from the inspector of buildings. Provided, however, that nothing herein contained shall affect the right to advertise any trade, business, or profession on the premises upon which said trade, business, or profession is conducted, or the right to advertise any premises for rent, lease, or sale.

SEC. 2. All such structures shall be safely and substantially built to the satisfaction of the inspector of buildings, and for such permits said inspector of buildings shall charge the sum of five dollars for every eight-sheet board (size seven by ten feet or under), and ten dollars for any board of larger size.

SEC. 3. No matter shall be posted upon any such structure without the sanction of the superintendent of police; and it shall be unlawful for any billposter to post matter upon any board owned or controlled by a licensed advertiser without the consent of said advertiser.

SEC. 4. Any violation of the provisions of this ordinance shall be deemed a misdemeanor, and the violator shall upon conviction be fined the sum of twenty-five dollars or imprisoned for a term of thirty days, according to the discretion of the court imposing the sentence.

SEC. 5. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

No. 666. Passed June 10, 1901.

To regulate payments of fees for building permits.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That all payments of fees for building permits that may hereafter be issued by the inspector of buildings of the city of Cincinnati shall be made to the city treasurer direct upon certificates from said inspector of buildings or the clerk of his department. The certificate shall state the name of the person in whose favor the permit is to be issued, and the exact amount in dollars and cents to be paid therefor. The city treasurer shall receive the amount specified and receipt therefor to the applicant, who in turn shall present such receipt to the inspector of buildings or the clerk of his department for examination, and upon such presentation the permit shall be issued. And a proper account of such receipts thus presented shall be kept in the office of the building inspector and presented in his annual report.

No. 4081. Passed April 6, 1888.

To make the City Clerk Stationery Storekeeper for all the Departments of the City.

Be it ordained by the Common Council of Cincinnati:

SEC. 1. That the city clerk, in addition to the duties now required of him by law, shall perform the duty of stationery storekeeper for all the departments of the city government.

SEC. 2. As such storekeeper he shall provide the necessary stationery for all the departments of the city, which shall include all forms, blanks, blank-books, record-books, writing-materials, and other articles which may be necessary.

SEC. 3. In providing the stationery necessary for the different departments he shall, so far as practicable, receive bids from parties dealing in and manufacturing such articles, and shall award contracts for furnishing only to the lowest bidder.

SEC. 4. He shall, on the first day of every month, present to the heads of the different departments suitable blanks, on which they shall make requisitions upon him for the stationery necessary for their departments during the current month, and no money shall be paid out of the city treasury for stationery except through the city clerk.

SEC. 5. As compensation for his services under the provisions of this ordinance the city clerk shall, in addition to the salary now allowed by law, be entitled to receive the sum of six hundred dollars per annum.

No. 40. Passed July 12, 1897.

For the protection of public cisterns, fire-plugs, etc.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful for any person or persons to place any building-material or any other obstruction whatever within eighteen feet of the center cap of any public cistern or public hydrant or fire-plug; and any person or persons so offending against the provisions of this ordinance shall on

conviction thereof in the Police Court be fined in any sum not less than ten dollars nor exceeding fifty dollars, together with the costs of suit.

SEC. 2. An ordinance to amend an ordinance for the protection of public fire-cisterns, passed July 31, 1846, is hereby repealed.

NO. 739. Passed October 7, 1901.

Granting to the John Shillito Company the right to construct a cistern on Jackson Street, between Twelfth and Canal streets.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission be and the same is hereby granted to the John Shillito Company to construct a cistern of a capacity not greater than fifty thousand gallons under Jackson Street, between Canal and Twelfth streets, not less than eighty feet north of Canal Street; said cistern to be for the use of the John Shillito Company in case of fire, and for the use of the said company in sprinkling.

SEC. 2. That said cistern shall be built and maintained at all times in good order by the said the John Shillito Company, and the said the John Shillito Company shall repair any injury caused to the street by reason of the building of said cistern, so that the street over said cistern shall be in as good condition after as it was before the building of said cistern; said cistern shall be built and maintained according to plans which must first be submitted to and approved by the chief engineer of the Board of Public Service.

SEC. 3. The Board of Public Service shall have the power at any time, upon thirty days' notice being given the John Shillito Company, to order the removal of said cistern, and it shall then be the duty of the John Shillito Company to remove said cistern and repair said street, so that it shall be in as good condition as before the building of said cistern.

No. 4189. Passed March 15, 1889.

To provide for the labeling and marking of convict-made goods, wares, and merchandise manufactured by convicts in penitentiaries, prisons, etc., and also to provide for the marking, stamping, and labeling of goods, linens, cloths, and other wearing apparel having been laundried or washed and ironed in the City Workhouse.

Be it ordained by the Common Council of Cincinnati:

SEC. 1. That all the goods, wares, or merchandise made by convict laborers in any penitentiary, prison, reformatory, or any place where convict labor is employed, shall before being exposed for sale within the corporate limits of the city of Cincinnati be branded, labeled, or marked.

SEC. 2. The brand, label, or mark hereby required shall contain the words "Convict made," followed by the year and the name of the penitentiary, prison, reformatory, or other establishment in which it was made, in plain English lettering. The brand or mark shall in all cases where the nature of the article will permit be placed upon the article itself, and only where such brand or mark on the article itself is impossible shall be placed upon the box or other covering of the same, or shall be attached to the article as a label. The label shall be placed upon the most conspicuous part of the article; and the articles that are marked shall be marked or branded in the most conspicuous place.

SEC. 3. It shall be unlawful for any person to expose for sale in the city of Cincinnati any such convict-made goods, wares, or merchandise, or to have the same in his possession for the purpose of selling the same, or to offer the same for sale without the brand, mark, or label required by this ordinance, or to remove such mark, label, or brand.

SEC. 4. That all cloths of all descriptions, and all linens of all kinds, and all wearing apparel of all kinds, having been given to any laundry which operates and washes any cloths, linen, apparel, or other goods by city convict labor, shall before sending the same out to be delivered to the owner mark or stamp each and every article with the words "Laundried in the City Workhouse" in indelible ink.

SEC. 5. Any persons violating the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned not exceeding six months, or both, at the discretion of the court.

NO. 264. Passed February 6, 1899.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission is hereby granted to the Jung Brewing Company to construct and maintain a conduit under and across Bank Street, connecting the main building of said brewing company with the addition to the same on the north side of said Bank Street, and said conduit to be used for the purpose of conducting steam and refrigerating pipes from and between said buildings.

SEC. 2. The conduit herein provided for shall not be of greater dimensions than four feet by five feet, shall be made of brick, laid in cement mortar, with concrete bases, and shall be constructed to the satisfaction of the Board of City Affairs.

NO. 578. Passed November 26, 1900.

To amend an ordinance entitled "An ordinance to regulate the sale of bituminous and anthracite coal and coke, and to repeal certain ordinances passed March 22, 1880." *

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That Section 2 of an ordinance entitled "An ordinance to regulate the sale of bituminous and anthracite coal and coke, and to repeal certain ordinances," passed March 22, 1880, be amended so as to read as follows:

SEC. 2. Every dealer in coal or coke shall have in his employ a deputy city weigher, or shall obtain certificates of the weight of each and every load of coal or coke taken from

* See page 256, Coppock and Hertenstein.

said dealer's yard in the manner provided for in sections 3, 4, and 5 hereof. The deputy city weighers so employed shall receive a license from the auditor of the city of Cincinnati, who is hereby authorized to issue said license on the recommendation of the employer of said deputy city weigher and also of the mayor of the city; said license to be for a period not longer than one year, and to be issued upon payment of a fee in the sum of five dollars, and upon the giving of a bond in the amount of one thousand dollars to the city of Cincinnati—which bond shall be approved by the city auditor as to sufficiency and by the corporation counsel as to form, and filed with the city clerk—for the faithful performance of the duties of said deputy city weigher, the bondsmen to be other than his employers. The duty of such deputy city weigher shall be confined to the weighing of coal at the place employed.

SEC. 3. That Section 2 of an ordinance to regulate the sale of bituminous and anthracite coal and coke, and to repeal certain ordinances passed March 22, 1880, be and the same is hereby repealed.

NO. 504. Passed July 2, 1900.

Granting permission to the P. Echert Company to construct a coal chute in Carter Alley.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission be hereby granted to the P. Echert Company to construct a coal chute in Carter Alley, in the rear of the premises of the P. Echert Company, known as Nos. 27, 29, and 31 West Court Street. Said coal chute shall be not greater than five feet in diameter, extending from the curb to the center of the alley, and running lengthwise with the alley not more than ten feet. The construction herein authorized shall be in accordance with plans and of the depth to be approved by the Board of Public Service.

No. 11. Passed May 11, 1903.

Repealing the ordinances creating the office of Custodian of the City Hall and prescribing his duties.

Whereas, The care and control of the City Hall is now vested in the Board of Public Service : Now, therefore—

SEC. 1. *Be it ordained by the Council of the City of Cincinnati, State of Ohio*, That the following ordinances be and the same are hereby repealed :

Ordinance No. 580, entitled "An ordinance to amend an ordinance to provide for the appointment of a superintendent and other employees of the new City Hall," passed July 7, 1893.

Ordinance No. 84, entitled "An ordinance to amend Section 3 of an ordinance to provide for the appointment of a superintendent and other employees of the new City Hall," passed October 18, 1897.

Ordinance No. 500, entitled "An ordinance to create the office of custodian of the City Hall and repeal Section 1 of ordinance therein named," passed July 2, 1900.

Ordinance No. 589, entitled "An ordinance to amend Section 3 of Ordinance No. 429 entitled 'An ordinance to provide for the appointment of a custodian and other employees of the new City Hall,'" passed December 19, 1900.

No. 604. Passed August 11, 1893.

Making unlawful the employment as a private watchman or detective of any person who has not been a year a resident of this city prior to appointment as such private watchman or detective, and fixing a penalty to be inflicted upon any person acting as such private watchman or detective who has not been a year a resident of this city.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That it shall be unlawful for any person to employ any person to act or serve as a private watchman or detective within the limits of the city of Cincinnati, unless said person

so employed shall have resided within said city for at least one year prior to such employment.

SEC. 2. Any person acting in the capacity of private watchman or detective who has not been one year a resident of this city shall be fined not less than ten dollars nor more than twenty-five dollars, at the discretion of the court.

NO. 49. Passed June 15, 1903.

Providing for the commissioning of private policemen.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. The Board of Public Safety may commission private policemen, on the application of any person or corporation who shows the necessity thereof, at the charge and expense of the person or corporation by whom the application is made. The private policemen so appointed shall be subject to the orders of the mayor and chief of police, and shall obey the rules and regulations prescribed by the Board of Public Safety. They shall wear such uniform and badge as provided by such rules and regulations. They shall possess the powers of the patrolmen in the arrest for offenses against the laws of the state and ordinances of the city, and shall give bond in the same amount. No person shall be so commissioned as such private policeman who has been dismissed from the regular police force for a period of one year after such dismissal. Such commissions may be revoked at any time.

NO. 240. As passed March 25, 1892, and amended as to Sections 12 and 15 by No. 812, passed July 13, 1894.

To regulate and restrain dogs from running at large in the city, and repealing all ordinances in conflict therewith.

Nullified by act of the General Assembly of April 19, 1898. (93 O. L., page 128.)

No. 778. Passed May 4, 1894.

To regulate the transportation of dangerous explosives through the streets of this city.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful for any person or persons to carry or transport through the streets of this city gunpowder, giant-powder, dynamite, nitro-glycerine, or other dangerous explosive in any vehicle other than a vehicle with springs, and which said vehicle is labeled on both sides thereof in large letters with the name of the explosive being carried or transported therein.

SEC. 2. Any person offending against any of the provisions of this ordinance shall, on conviction thereof in the Police Court, be fined in a sum not exceeding twenty-five dollars for each offense.

No. 4042. Passed February 24, 1888.

Restricting the unauthorized use and occupancy of the streets, alleys, lanes, and public grounds of the City of Cincinnati for the purpose of conducting, conveying, or distributing electricity.

Be it ordained by the Common Council of Cincinnati:

SEC. 1. That it shall be unlawful for any person, company, or corporation to enter upon, use, or appropriate any portion of the streets, alleys, lanes, or public grounds of the city of Cincinnati, for the purpose of laying, stringing, or maintaining any conduits, cables, wires, or other conducting mediums, for the purpose of transmitting, conducting, or conveying electricity for light, power, or other purposes, either under, over, or above the surface of the streets, alleys, lanes, and public grounds of the city of Cincinnati, unless such person, company, or corporation shall have first obtained authority to do so by an ordinance of the Common Council of the city of Cincinnati permitting and authorizing the occupancy of the streets, alleys, lanes, and public grounds of said city for such purpose; and

distinctly providing the manner, form, and extent of such authorized occupancy.

SEC. 2. Any person, or the executive officer of any company or corporation, violating any of the provisions of this ordinance shall, upon conviction thereof in the Police Court of the city of Cincinnati, be fined in a sum not less than fifty dollars or more than five hundred dollars, together with the costs of prosecution. Each day's continuance of such use or violation of any of the provisions herein shall be considered a distinct offense.

NO. 4285. Passed October 18, 1889.

Presenting terms and conditions under which the business of electrical illumination may be engaged in within the corporate limits of the City of Cincinnati by any person, company, or corporation securing permission by special ordinance to so engage.

Be it ordained by the Common Council of Cincinnati:

That whenever permission is by ordinance granted to any person, company, or corporation to engage in the business of electrical illumination, it shall be under the following expressed terms and conditions.

The grant to occupy the streets, lanes, and public grounds of the city of Cincinnati for the purpose of erecting and maintaining poles, masts, towers, brackets, and supports, with the necessary wires thereon, shall be for such period of time as Council shall determine at the date of the passage of any special ordinance.

No grant shall be made to thus occupy the side of any street, lane, alley, or public place, whereon poles, masts, towers, brackets, or supports have already been erected for the maintenance of telegraph or telephone wires, unless both sides of said street, alley, lane, or public place are already so occupied, or upon any other street, lane, alley, or public grounds, in such manner as to interfere with, obstruct, or inconvenience any person in his or her right to the free use of such streets, lanes, alleys, etc.

And all poles, masts, towers, brackets and supports, whenever and wherever erected, shall be of sufficient height to carry any wires placed thereon above and clear of all obstructions growing out of the character of the buildings adjoining such lines, or the nature of the business carried on therein ; and in no case shall they be attached to the eaves or roofs or tops of houses without the consent of the owner thereof, properly authenticated to the Board of Public Affairs ; and no poles, masts, towers, brackets, or supports shall be of less height than thirty feet. And whenever it shall be necessary to cross the line of any existing electric-light, telegraph, or telephone lines it shall be at a distance of not less than three feet therefrom, unless absolutely necessary, and then only on permission in writing being granted by the Board of Public Affairs on the recommendation of the city electrician.

That it shall not be admissible to occupy any main street with such poles, masts, towers, or supports where it is practicable to penetrate any district or supply the occupants of any one square by erecting and maintaining such supports in the alleyways of such city, or when such occupation shall obstruct said alleyways, then by acquiring the right to occupy such portions of private property abutting thereon as may be necessary for the maintenance of such posts, masts, towers, and supports in such manner as may be determined by the Board of Public Affairs.

That all such posts, masts, towers, brackets, and supports carrying electric-light or power wires when erected shall be painted a bright red, or such other color as the Board of Public Affairs may determine, in order that the character of the wires carried thereon shall be understood.

All poles now standing or hereafter erected for the support of electric-light or power wires shall be marked with the name or initials of the company owning them at a point five feet from the ground. If a pole be used by more than one company, each cross-arm, or if necessary each wire, must be marked or labeled so as to indicate the owner.

That the person, company, or corporation erecting any such lines of poles, masts, towers, or supports shall, upon the payment to them of a fair proportion of the original cost of erection of the portion to be so occupied and possessed, and a monthly rental equivalent to a fair proportion of the cost of erection and maintenance of the portion to be so occupied and possessed, permit any other person, company, or corporation to occupy and possess equal rights and privileges thereon, if said poles have not already a full complement of wires—same to be determined by the city electrician.

And whenever two or more persons, companies, or corporations are supplying or propose to supply electricity for any purpose whatsoever within the same territory, they shall be required to jointly use and occupy the same poles, masts, towers, or supports upon the conditions hereinbefore recited; and no wires or electrical conductors of any character or kind shall be maintained in any other manner than that herein provided.

The exact location and the erection of all poles, masts, towers, or supports proposed to be erected by any persons, company, or corporation shall be subject to the approval of the Board of Public Affairs, which shall have the right to order and enforce a change of location of any poles, masts, towers, or supports. And the occupation of any new streets hereafter opened shall be upon a plan to be submitted by said persons, company, or corporation, and approved by the Board of Public Affairs.

And whenever it may become necessary to string wires or electrical conductors to any point not on the main line, and where it is impracticable to erect and maintain the posts, masts, towers, or supports required herein, the same shall be done only upon special permission being granted by the Board of Public Affairs, upon a plan approved by the chief engineer of said board, and which plan and approval shall be filed with said application.

Any ordinance granting authority to any person, company,

or corporation to go into operation under the provisions of this general ordinance shall distinctly specify and indicate the maximum price at which electricity is to be supplied to public and private consumers for either lighting or power purposes.

All conducting wires, excepting trolley-wires for electric railways, must be covered with a durable weather-proof insulation, embracing not less than two coatings. Permits to string wires will be granted only after the approval of samples submitted to the electrician or the board, and no other wires than those thus approved by samples may be strung.

Where wires enter a building they must be incased in continuous pieces of hard insulating tubing, so inclined as to oppose the entrance of water, and the outer end of this tubing must be sealed with some plastic insulating material in such manner as to exclude all moisture.

In running along walls all wires shall be rigidly attached to the same by non-conducting fastenings, and shall not hang from projecting insulators in loose loops; all arc-light wires shall be placed at not less than one foot and all incandescent-light wires at not less than six inches apart, and whenever they approach any conducting body capable of furnishing a ground connection they must be rigidly secured and separated from the same by some approved non-conductor. The distribution of electricity by the alternating or transformer system shall be under the supervising control of the Board of Public Affairs, and all companies using said system shall conform strictly to all requirements of said board.

The use of porcelain knobs as insulators on the outside of buildings is prohibited, except in dry places, where an approved special insulation must be used on the wires.

Wires must not be so placed as to render it easily possible for water to form a cross-connection between them. Wires must be fastened to insulated supports by insulated tie-wires. The use of iron tie-wires is prohibited. All tie-wires must have an insulation equal to that of the conducting wires.

All joints in wires must be secured by making from five to

seven turns on each side of cross, or by using an improved metallic sleeve. All joints must be insulated with not less than four layers of durable waterproof tape, and then covered with friction tape, which shall be fastened with a few turns of small insulated copper wire.

Wires must be tightly stretched, and never allowed to sag to such an extent as to be capable of coming into swinging contact with each other, with signs or other neighboring objects. The spacing of poles should be so determined as to facilitate the observance of this rule.

Overhead wires, between which there is a difference of potential, must not be less than one foot apart, and must swing clear of foreign contact between their insulated supports. No electric-light or power wires on cross-arms shall be less than one foot distant from the pole or other central support.

Wires over roofs must be at least seven feet above flat roofs at the point of lowest sag, and one foot above the ridge of other roofs.

Service wires must run horizontally from street mains to buildings, except on special permission granted by the Board of Public Affairs on the recommendation of the electrician.

Where angles occur in a line, subjecting the supports to increased strain, guard-irons must be placed at the outer ends of cross-arms. Guard-wires must also be placed wherever their presence would prevent telephone, telegraph, or other wires from coming into accidental contact with electric-light wires. The cost of such guard-irons and guard-wires shall be borne by the person or company making the last construction.

All guy-wires, whether run by telegraph, telephone, or electric-light companies, must be kept at a distance of not less than six inches from electric-light wires, or otherwise be thoroughly insulated at points in danger of contact with such wires.

Wires for arc lighting must enter and leave a building through a suitable and approved cut-out switch, which is to

be placed on the building or neighboring pole in a position easily accessible to police, firemen, and inspector.

Arc lamps must be so placed as to leave a clear space of not less than nine feet between lamp and the sidewalk.

All wires must be so strung as to leave a clear space of not less than twenty feet at the point of lowest sag between the wire and the surface of the sidewalk or street.

All circuits must be provided with some approved device for declaring or detecting ground connections. Tests for grounds must be made at least three times each day. When a ground connection occurs it must be found and remedied without delay.

The insulation resistance on all circuits must be maintained at a standard approved by the consulting electrician of the Board of Public Affairs, and every facility for testing circuits shall be accorded said electrician and his assistant.

Loops, wires, and poles no longer in use, and of which there is no immediate prospect of further use, shall be removed.

Immediately after the erection of any wiring or other outdoor construction for electric light or power, the company or person erecting the same shall notify the city inspector of electric constructions or the Board of Public Affairs that said work is ready for inspection, and no use shall be made of such wiring or its appurtenances for the purposes aforesaid until approved by the inspector.

Every lineman and lampman must wear a badge in plain sight, indicating his number and the company or person by whom he is employed, and in case of fire this badge shall serve as a pass to admit the wearer within the fire-lines.

The fire department of the city shall erect in the station of every electric-light or power company, at the latter's expense, a suitable gong connecting with the fire-lines, by which shall be indicated the location of all fires. On the occurrence of a fire in any district in which any company has wires, such company shall forthwith send a man prepared to remove wires under the direction of the fire department.

Any and all persons, companies, or corporations operating under this ordinance shall be required to adopt the most modern and approved devices for the protection of users of electric light against injury to persons or property, and shall be held responsible for any damages, whether to life or property, which may result from the construction, maintenance, or operation of their plant, and shall hold the city harmless from any liability for damage done to life or property.

Any person, company, or corporation organized or continuing in operation after the passage of this ordinance shall, whenever directed so to do by the Board of Public Affairs, carry all wires through underground conduits, and shall hold the city harmless in the matter of any claims for damages on account of being required to so carry wires underground, and where the light is carried to posts, towers, or brackets, shall do so through tubes to within six inches of where the light is exposed.

Any grant made under the provisions of this ordinance shall not be transferable by sale of stock or otherwise until the company goes into operation as herein provided, and any person, company, or corporation which does not personally or through their own agents go into operation within six months after being authorized so to do, and be prepared to supply at least fifty arc or five hundred incandescent lights (and those furnishing power only shall be prepared to furnish one hundred horse power) within six months, shall forfeit all the rights and privileges previously acquired.

Any person, company, or corporation desiring to engage in the business of lighting by electricity under the provisions of this general ordinance shall, as a condition precedent to the consideration of such application, execute a good and sufficient bond in the sum of fifty thousand dollars, conditioned to carry out and faithfully execute all the provisions contained in this ordinance, and also conditioned to save the city harmless from any liability accruing through injury to life or property in the construction, maintenance, and operation of said business; and further, that they will promptly pay to the treasurer

of the city of Cincinnati, on the first days of January, April, July, and October of each year, the sum of one half of one per cent on the gross receipts from every source, either directly or indirectly connected with the supply of electricity for either light or power purposes. Said bond shall be approved by the solicitor as to form and by the Board of Public Affairs as to sufficiency.

The quarterly payments of one half of one per cent of gross receipts shall be paid into the city treasury and placed to the credit of the street-repairing fund.

Any person, company, or corporation desiring to operate under the provisions of this ordinance shall first deposit with the city treasurer a sum sufficient, in the judgment of the Board of Public Affairs, to defray the cost of restoring the pavements removed to their former condition.

Poles must not be deposited on the street more than two days previous to their erection.

A violation of any of the conditions of this ordinance, or refusal on the part of any company or person to make such alterations and repairs in their present or future constructions as may be demanded in conformity with the provisions of this ordinance, shall be deemed a misdemeanor, and on conviction thereof in the Police Court of the city of Cincinnati shall be fined in a sum not less than one hundred nor more than five hundred dollars for the first offense, and for a second offense shall be fined not less than one hundred nor more than five hundred dollars, and imprisoned at the City Workhouse not longer than sixty days, or both, at the discretion of the court. Such violation shall also operate *ipso facto* as a revocation of all permits, rights, and franchises granted to the company or person held guilty of such violation or refusal.

The Board of Public Affairs shall be clothed with police authority to enforce any of the provisions of this ordinance, and shall be authorized in case of a persistent and continuous violation of the requirements of this ordinance, and in cases of dangerous necessity said board is authorized to instruct the

police or its inspector to cut out lights or to cut out the current in the locality concerned, and to enforce the discontinuance of all rights until the provisions of this ordinance are complied with.

All interior wiring shall comply with and conform to the rules and requirements of the Underwriters' Association of Cincinnati.

NO. 4344.* Passed March 5, 1890.

Accepting the bid of the Brush Electric Light Company of Cincinnati, Ohio, for lighting streets, alleys, avenues, parks, and public places and ways of the City of Cincinnati with electric light.

Be it ordained by the Common Council of Cincinnati :

SEC. 1. That the bid of the Brush Electric Light Company of Cincinnati, Ohio, for lighting the streets, alleys, avenues, parks, and public places and ways of the city of Cincinnati with electric light for the sum of fifty-nine dollars and ninety-eight cents per lamp per year, said bid being opened on December 16, 1889, by the committee on light, be and the same is hereby accepted, and contract for lighting said city as aforesaid is hereby awarded to the said the Brush Electric Light Company of Cincinnati, Ohio.

SEC. 2. The Board of Public Affairs is hereby authorized to contract with the said company in accordance with said bid, and in accordance with the specifications and ordinances under which said bid was made, received, and opened, for the time and in the manner provided in said specifications.

*This became void through a decision of the Superior Court, which held that the Board of Aldermen had rejected the bid in once indefinitely postponing the ordinance. The action of that board in subsequently reconsidering and passing the ordinance was not regarded by the court as a legal step.

No. 256. Passed May 13, 1892.

Accepting the bid of the Cincinnati Edison Electric Company of Cincinnati, Ohio, for lighting by electricity the streets, alleys, lands, lanes, squares, and public places of the City of Cincinnati, and granting a franchise for electric lighting and power purposes, as provided for in the specifications under which said bid was received.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the bid* of the Cincinnati Edison Electric Company for lighting by electricity the streets, alleys, lands, lanes, squares, and public places of the city of Cincinnati, said bid being opened on April 12, 1892, by the committee on light of the Board of Legislation, be and the same is hereby accepted, and the contract for lighting said city as aforesaid is hereby awarded to the said the Cincinnati Edison Electric Company of Cincinnati, Ohio.

SEC. 2. The Board of Administration is hereby authorized and directed to contract with the said company in accordance with said bid, and in accordance with the specifications under which said bid was made, received, and opened, for the time and in the manner provided in said specifications.

SEC. 3. A franchise is hereby granted to said Cincinnati Edison Electric Company to construct and maintain, during the term of twenty years from the date of the passage of this ordinance accepting their said bid, lines for conducting electricity for power, light, and general electrical purposes through the streets, alleys, lands, lanes, squares, and public places of the city of Cincinnati, and to erect and maintain all necessary, fixtures, poles, posts, towers, and abutments necessary to enable said Cincinnati Edison Electric Company to furnish electricity for commercial light, power, and general purposes, as provided in said specifications, under which the said bid of said Company was made, and subject to all the restrictions therein contained.

* Eighty-four dollars and ninety cents (\$84.90) per lamp per year.

NO. 453. Passed February 3, 1893.

Directing the Board of Administration to discontinue gas-lighting and other lighting in the territory lighted by electricity under the contract with the Cincinnati Edison Electric Company.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That whenever any street, alley, land, lane, square, or public place in this city is lighted by electricity under the contract entered into with the Cincinnati Edison Electric Company on the 31st day of May, 1892, all other lighting at the expense of the city of such street, alley, land, lane, square, or public place in proximity to electric lights erected by said company shall be discontinued. It shall be the duty of the Board of Administration to notify all other persons or companies furnishing gas, gasoline, or electric lighting at the expense of the city of the passage of this ordinance, and also notify them from time to time to discontinue such lighting at any place whenever any electric light is furnished in its proximity under said contract with the Cincinnati Edison Electric Company; and as nearly as practicable all other public lighting within a distance of three hundred feet shall be discontinued.

A RESOLUTION. Passed December 12, 1890.

To light Gilbert Avenue from its intersection with East Court Street to McMillan Street.

Be it resolved by the City Council of Cincinnati:

That the Board of City Affairs be and it is hereby authorized and directed to contract for the lighting by electricity of Gilbert Avenue, from its intersection with East Court Street to McMillan Street.

A RESOLUTION. Passed August 3, 1894.

Making certain changes in the electric-lighting districts.

Be it resolved by the Board of Legislation of Cincinnati:

That the lighting districts heretofore established by the Board of Legislation be changed in the following particulars, to-wit:

1. The lamp located at the intersection of Windsor Street and Park Avenue is hereby transferred from the Sixth District to the Gilbert-avenue and Eden-park District.

2. Court Street, between Broadway and the south end of Gilbert Avenue, is hereby transferred from the Sixth District to the Gilbert-avenue and Eden-park District.

3. The lamp located at the intersection of Eighth Street and Glenway Avenue is hereby transferred from the Ninth District to the Second District.

NO. 516. Passed April 28, 1893.

Directing the Cincinnati Edison Electric Light Company to light with electricity Eden Park, and Gilbert Avenue from Court Street to McMillan Street, and Windsor Street from Gilbert Avenue to Kemper Lane.

Whereas, Eden Park, and Gilbert Avenue from Court Street to McMillan Street, and Windsor Street from Gilbert Avenue to Kemper Lane, are now being lighted with electricity at a cost of one hundred and forty-four dollars per year by the Brush Electric Light Company; and whereas there is an existing contract between the city and the Cincinnati Edison Electric Light Company for such electric lighting at eighty-four dollars and ninety cents per annum: Therefore be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it is deemed necessary by the said board that said Eden Park, and said Gilbert Avenue from Court Street to McMillan Street, and Windsor Street from Gilbert Avenue to Kemper Lane, be lighted by electricity under the said contract with the said Cincinnati Edison Electric Light Company; and

the said the Cincinnati Edison Electric Light Company is hereby directed, under the supervision of the Board of Administration, to place electric-light lamps in Eden Park, and on Gilbert Avenue from Court Street to McMillan Street, and on Windsor Street from Gilbert Avenue to Kemper Lane, and to supply electric light thereto, in accordance with the terms of said contract and specifications between said company and the city of Cincinnati.

SEC. 2. And the Board of Administration is hereby authorized and directed to terminate the lighting of said park and of said streets by the said Brush Electric Light Company.

NO. 608. Passed August 11, 1893.

Designating the territory to be lighted with electricity by the Cincinnati Edison Electric Company under the existing contract, and to be known as the Second District.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Cincinnati Edison Electric Company be and is hereby directed to light with electricity, under the supervision of the Board of Administration and in accordance with the terms of the existing contract, within ninety days from the passage of this ordinance, the streets, lands, lanes, squares, and public places of the city of Cincinnati included within the following territory, to be known as the Second District, viz.: Between the Ohio River on the south, Central Avenue on the east, Eighth Street on the north, and State Avenue on the west.

SEC. 2. The Board of Administration is hereby authorized and directed to terminate the lighting of any or all streets in said Second District now being lighted by gas, gasoline, or electricity by any other party, company, or corporation.

NO. 647. Passed September 29, 1893.

Designating the territory to be lighted with electricity by the Cincinnati Edison Electric Company under the existing contract, to be known as the Third, Fourth, Fifth, Sixth, Seventh, Eighth, and Ninth Districts.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Cincinnati Edison Electric Company be and it is hereby directed to light with electricity, under the supervision of the Board of Administration and in accordance with the terms of the existing contract, within three months from the passage of this ordinance, the streets, lands, lanes, squares, and public places of the city of Cincinnati included within the following territory, to be known as the Third District, viz.: Between Court Street on the south; Central Avenue on the west; Findlay Street, McMicken Avenue and Liberty Street on the north; Hunt Street and Broadway on the east.

And within six months from the passage of this ordinance the streets, lands, lanes, squares, and public places of said city included within the following territory, to be known as the Fourth District, viz.: Between Eighth Street on the south, Freeman Avenue on the west, Central Avenue on the north, and Central Avenue on the east.

And within nine months from the passage of this ordinance the streets, lands, lanes, squares, and public places of the city of Cincinnati included within the following territory, to be known as the Fifth District, viz.: Between Liberty Street and McMicken Avenue on the south, Browne Street on the west, corporation line on the north, and Hunt Street on the east.

And within twelve months from the passage of this ordinance the streets, lands, lanes, squares, and public places of said city included within the following territory, to be known as the Sixth District, viz.: Between the Ohio River on the south; Eggleston Avenue, Broadway and Hunt Street on the west; corporation line on the north; Woodburn Avenue on the east.

And within fifteen months from the passage of this ordinance the streets, lands, lanes, squares, and public places of said city included within the following territory, to be known as the Seventh District, viz. : Between the Ohio River on the south, Woodburn Avenue on the west, corporation line on the north, corporation line on the east.

And within eighteen months from the passage of this ordinance the streets, lands, lanes, squares, and public places of said city included within the following territory, to be known as the Eighth District, viz. : Between Harrison Avenue and Central Avenue on the south, corporation line on the west, corporation line on the north, and Browne Street on the east.

And within twenty-one months from the passage of this ordinance the streets, lands, lanes, squares, and public places of said city included within the following territory, to be known as the Ninth District, viz. : Between the Ohio River on the south, corporation line on the west, Harrison Avenue on the north, Freeman and State avenues on the east.

SEC. 2. The Board of Administration of said city is hereby ordered, upon the lighting of any of said districts by electricity, to discontinue the lighting of said district with gas, gasoline, or other material.

NO. 679. Passed November 17, 1893.

Granting to the Cincinnati Gas Light and Coke Company the right to occupy the public ways and grounds of the City of Cincinnati for the purpose of supplying electricity for public and private purposes.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Cincinnati Gas Light and Coke Company be and it is hereby authorized and empowered, for a period of twenty-five years from and after the passage of this ordinance, and thereafter until the same shall be purchased by the city of Cincinnati as hereinafter provided, to acquire, construct, erect, maintain, and operate in and upon the streets, avenues, and public ways and grounds of the city of Cincinnati the

conduits, poles, wires, and electrical appliances necessary to the business of supplying the city of Cincinnati and its inhabitants with electricity for any and all purposes at a maximum price, during the ten years next ensuing, of twenty cents per one thousand watts, and in all other respects agreeably to and in conformity with the conditions and provisions of general ordinance No. 4285, passed October 18, 1889.

SEC. 2. If at any time during the said period of twenty-five years or thereafter the city of Cincinnati shall elect to purchase the works, distributing plant, and other property and assets of the Cincinnati Gas Light and Coke Company, as provided for under the ordinance entitled "An ordinance to provide for lighting the city of Cincinnati with gas," passed June 16, 1841, said city shall have the privilege of purchasing, in the same manner and form, the entire electrical generating and distributing plant, with its buildings, machinery, lines, structures, and electrical appliances used by said company for supplying the city and its citizens with electric light, heat, and power.

NO. 732. Passed January 26, 1894.

Prescribing the terms and conditions under which the business of telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the City of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage, and to repeal Ordinance No. 683, passed November 17, 1893.

Be it ordained by the Board of Legislation of Cincinnati:

Whenever permission is by ordinance granted to any person, company, or corporation to engage in the business of telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes, it shall be under the following expressed terms and conditions.

SEC. 1. A grant to occupy the streets, lanes, and public grounds of the city of Cincinnati for the purpose of erecting and maintaining poles, wires, fixtures, brackets, and supports for the necessary wires thereon shall be for such period of

time as the Board of Legislation shall determine at the date of the passage of any special ordinance.

SEC. 2. No excavation or hole shall be made in any street, alley, or public place for the purpose of erecting poles or fixtures for supporting telephone, telegraph, messenger-call, burglar-alarm, or signaling wires without first obtaining a permit, issued under authority of the Board of Administration by the city electrician, approved by the city engineer.

SEC. 3. No pole or fixtures shall be erected in any street, alley, or public place until it has been inspected by the city electrician and approved by the Board of Administration.

SEC. 4. All wires other than those used for electric-light and power purposes strung over house-tops must be tagged with suitable tags, to be approved by the Board of Administration, in such a manner that it will be impossible to remove the tags without destroying them or the fixture to which they are attached, plainly marked with name of owner thereon.

SEC. 5. When a line is so long that its destination can not be plainly seen from the point of tagging, an additional tag must be placed on the wire to facilitate tracing.

SEC. 6. All wires put up after the passage of this ordinance other than those used for electric-light and power purposes are to be put up so as not to hang lower than thirty feet from the ground.

SEC. 7. No guy- or stay-wire shall be put up so as to come nearer than ten feet from the ground.

SEC. 8. Poles to be of uniform height, and wires to be kept of uniform height along the street or in running to buildings.

SEC. 9. Wires of one company running along the streets or over buildings must not be nearer than three inches for insulated and six inches for bare wire to the wires of another company using wires of the same character.

SEC. 10. All wires strung over house-tops must not be attached to fixtures carrying electric-light or power wires, and must be at least eighteen inches from all such wires.

SEC. 11. All wires must be securely fastened, stretched tightly, and attached to insulators with a tie of the same kind of wire.

SEC. 12. No poles or fixtures on streets or fixtures on house-tops must be erected or allowed to remain, except such as are absolutely necessary for the maintenance and safety of the wires.

SEC. 13. Whenever any wires cross an electric street-railway trolley-wire, special care must be taken that the wires and fastenings each side of the crossing are of such strength, size, and material, and that the wire is fastened in such a manner, as to leave no liability of the wire coming down or getting in contact with the trolley-wires.

SEC. 14. All wires running to buildings are to be removed at the time of their disuse as far as the first pole or fixture to which they are attached.

SEC. 15. All dead or disused poles, wires, fixtures, etc., must be removed from streets or house-tops within fifteen days after they are dead or abandoned, except where it is positively known that they are to be used again within ninety days.

SEC. 16. All wires on house-tops not tagged, after the expiration of ninety days after the passage of this ordinance, will be considered dead and abandoned, and will be ordered taken down.

SEC. 17. All guy- or stay-wires must be removed the same as dead wires when they become unnecessary for the maintenance of the lines. Under no circumstances are wires with loose ends to be left hanging from any pole, fixture, building, or other object.

SEC. 18. Any person, company, or firm making any alterations, additions, or extensions to poles, wires, or fixtures shall quarterly file with the Board of Administration a statement and plan showing the nature and locality of such alterations, additions, or extensions.

SEC. 19. Within ninety days after the publication of this

ordinance complete plans and maps of each and every route, showing all wires, poles, pole-lines, and fixtures used for fire- and burglar-alarm, messenger-call, and signaling purposes, shall be filed with the city electrician by the person or company operating such route, and no change shall be made in such wires, poles, or fixtures without a permit therefor from the Board of Administration, as set forth in Section 1.

SEC. 20. The Board of Administration reserves the right to order all wires of this class in the general subway when said subway is built.

SEC. 21. Any existing companies at the time of the passage of this ordinance, upon filing a written acceptance of the same with the Board of Legislation and complying therewith, shall receive from said board a license to transact its business for a period of twenty-five years from date.

SEC. 22. Each person, company, or corporation receiving a grant under the provisions of this ordinance shall be required to pay into the city treasury quarterly, on the first day of January, April, July, and October in each and every year, for said license and franchise a sum equal to one dollar a mile per annum on all wires run over house-tops or on poles in the streets and alleys of said city north of Liberty Street, extended east and west to city limits; two dollars a mile per annum south of Liberty Street, extended east and west to city limits, to Eighth Street, extended east and west to city limits; four dollars a mile per annum south of Eighth Street, extended east and west to city limits, to Second Street, extended east and west to city limits; and two dollars a mile per annum south of Second Street, extended east and west to city limits, to Ohio River.

SEC. 23. Any person removing or attempting to remove, or destroying or attempting to destroy, the tagging of wires as provided for herein, or interfering therewith, except in the regular performance of duties as employees of the company owning such wire, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceed-

ing fifty dollars, or imprisoned in the Workhouse not exceeding thirty days, or both fined and imprisoned.

SEC. 24. The ordinance passed November 17, 1893, entitled "An ordinance, No. 683, prescribing the terms and conditions under which the business of telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the city of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage," be and the same is hereby repealed.

No. 1160. Passed January 25, 1897.

To detach from the Sixth Electric-lighting District the lighting of the Kenton-street Bridge, and to order the lighting of said bridge by electricity.

Whereas, The city of Cincinnati recently constructed a bridge upon Kenton Street, which street is located within the Sixth Lighting District for electricity; and

Whereas, There was created by ordinance a lighting district for the east side of Gilbert Avenue, Eden Park, and Windsor Street, which said district lies to the east of the Sixth District and to the east of the Kenton-street bridge; and

Whereas, It is desirable to light the approaches to said bridge with electricity: Therefore be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That so much of Kenton Street upon which is located the bridge recently constructed by the city of Cincinnati be and the same is hereby detached from the Sixth Lighting District, and that the same be attached to the lighting district composed of the east side of Gilbert Avenue, Eden Park, and Windsor Street.

SEC. 2. That the Cincinnati Edison Electric Company, which has entered into a contract with the city of Cincinnati to light the city, according to districts as the Board of Legislation may establish, at \$84.90 per lamp, be and the same is

hereby ordered to light said bridge by locating a light at each approach, and that the same be done immediately upon the passage of this ordinance.

No. 237. Passed October 24, 1898.

Repealing certain portions of an ordinance entitled "An ordinance, No. 647, designating the territory to be lighted with electricity by the Cincinnati Edison Electric Company under the existing contract, to be known as the Third, Fourth, Fifth, Sixth, Seventh, Eighth, and Ninth Districts.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That whereas the Cincinnati Edison Electric Company has failed to light the Seventh, Eighth, and Ninth districts mentioned in the ordinance herein referred to, therefore those portions of the ordinance entitled "An ordinance, No. 647, designating the territory to be lighted with electricity by the Cincinnati Edison Electric Company under the existing contract, to be known as the Third, Fourth, Fifth, Sixth, Seventh, Eighth, and Ninth districts," passed September 29, 1893, which designates certain territory therein described as the Seventh District, Eighth District, and Ninth District, and the direction therein given said company to light said districts, or any of them, with electricity, be and the same are hereby repealed.*

*In the case of the City against the B. C. A. and the Cincinnati Edison Electric Company, No. 115,877 H. C. P., it was held that the company was not guilty of neglect in failing to light the Seventh, Eighth, and Ninth districts, and the cause was dismissed. The City failing to further prosecute, the cause was carried to the Circuit Court (Case No. 3122) by A. H. Pugh and other taxpayers, and on behalf of the City, who claimed that Ordinance No. 237 repealed said districts, and prayed to have the lighting of them enjoined, and also claimed the light contract was void; but the court, holding that the City was in the wrong in delaying its objections to the performance of the contract, and that the said Ordinance No. 237 was an unauthorized interference with the contract, dismissed the cause for want of equity, and refused to consider the points of the plaintiffs.

No. 161. Passed April 4, 1898.

To provide for the lighting of certain territory of the City of Cincinnati with electricity, and to annex said territory to the Third and Fourth Electric-lighting Districts.

Whereas, In ordinances of the Board of Legislation of the city of Cincinnati, heretofore passed, designating territory to be lighted with electricity by the Cincinnati Edison Electric Company under the contract between said city and said company, the strip of territory bounded by Findlay Street, Central Avenue, McMicken Avenue, and Colerain Avenue has been omitted from all the electric-lighting districts contiguous thereto; and

Whereas, There has been presented to this board a petition from citizens residing or conducting business or manufacturing within that territory, asking for lighting therefor with electricity: Therefore be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Cincinnati Edison Electric Company is hereby directed to light with electricity, under the terms of its contract with the city of Cincinnati, the territory bounded by Findlay Street on the south and southeast, McMicken Avenue on the north and northeast, Central and Colerain avenues on the southwest and south, and McMicken Avenue on the west.

SEC. 2. That the territory bounded on the south and southeast by Findlay Street, on the northeast and north by McMicken Avenue, on the west and northwest by the bridge over Miami and Erie Canal known as "Mohawk Bridge," and on the southwest and south by Central Avenue, is hereby annexed to the territory known as the Third Electric-lighting District; and the territory bounded on the southeast by said bridge, on the north and northeast and on the west by McMicken Avenue, and on the south and southwest by Central Avenue and Colerain Avenue, is hereby annexed to the territory known as the Fourth Electric-lighting District.

No. 204. Passed July 5, 1898.

Granting to the Cincinnati Edison Electric Company the right to build and maintain a room or vault under Charles Street.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the right to construct and maintain a room or vault under the roadway of Charles Street be and the same is hereby granted to the Cincinnati Edison Electric Company; subject, however, to the following conditions:

The said room or vault shall be located on the south side of Charles Street, near Plum Street. The length shall not exceed seventeen feet along the street, and the width shall not exceed eight feet, measured out from the south curb of Charles Street. The said room or vault shall be inclosed by substantial retaining-walls, and shall be substantially covered with steel and concrete for the support of the street pavement. The portion of the street disturbed by reason of the work shall be restored by said company, and maintained in good condition by said company during the existence of this grant; any water-, gas-, or sewer-pipes running through said room or vault shall be properly supported and protected by said company. Should the said room or vault be abandoned at any time by said company, the excavation shall be solidly filled with earth or concrete, and the street restored in a substantial manner by said company. All work connected with the building, maintaining, or abandoning of said room or vault shall be done by said company under the direction and to the satisfaction of the Board of City Affairs of Cincinnati or its successors.

All expense incident to the construction and maintenance of said room or vault shall be borne by said company, and said company shall hold the said city of Cincinnati harmless from any damage growing out of the injuries to any person or any property of any action in pursuance of this ordinance.

No. 542.* Passed September 17, 1900.

Granting to the Cincinnati Edison Electric Company the right, privilege, and franchise of laying conduits for electrical purposes in, under, and through the streets, avenues, alleys, lands, lanes, squares, and public places of the City of Cincinnati.

Whereas, On the 12th day of May, 1900, the Cincinnati Edison Electric Company made application in due form to the Board of Public Service of the city of Cincinnati for permission to open certain streets, etc., of said city, and to lay therein underground conduits for electric wires, as in said application more fully set forth, under and in accordance with a decree of the Probate Court of Hamilton County, Ohio, made and entered on the 4th day of April, 1890, in the case wherein the Edison General Electric Company was plaintiff and the City of Cincinnati, Ohio, was defendant, and numbered on the docket of said court as case No. 4601; the rights acquired by said decree having been transferred and assigned by said the Edison General Electric Company to said the Cincinnati Edison Electric Company; and

Whereas, Said Board of Public Service have expressed a doubt as to the right of the Cincinnati Edison Electric Company to lay additional conduits under said decree by reason of certain amendments of the Revised Statutes of Ohio since said decree was made, and on that account have refused to grant said permission:

Now, therefore, in order to remove any doubt which may exist as to the right of said the Cincinnati Edison Electric Company to lay and maintain its conduits for electric wires in the streets, alleys, and public places of Cincinnati, and in order to confirm all the rights and franchises acquired by said the Cincinnati Edison Electric Company under the statutes of Ohio and by virtue of said decree of said Probate Court, be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That there is hereby granted to the Cincinnati Edison Electric Company, a corporation under the laws of

* Acceptance of this ordinance filed October 2, 1900.

Ohio, its successors and assigns, the right, privilege, and franchise of laying, constructing, maintaining, and operating conduits, feeders, tubes, pipes, connection boxes, junction boxes, manholes, and all fixtures and electrical appliances necessary and incident to the maintenance and operation of a complete underground conduit system in, under, and through the streets, avenues, alleys, lands, lanes, squares, and public places of the city of Cincinnati, and of any territory which may be hereafter added thereto, in the manner and mode prescribed in said decree for the purpose of supplying electricity to said city and its inhabitants for light, heat, power, and all other purposes for which the electric current may be used.

SEC. 2. All work done by virtue hereof shall be under the supervision and subject to the approval of the Board of Public Service, and in all respects subject to the provisions and conditions, in so far as they are applicable, of general ordinance No. 4285, passed October 18, 1889.

NO. 543.* Passed September 17, 1900.

Granting the Cincinnati Edison Electric Company, its successors and assigns, the right, privilege, and franchise of constructing, maintaining, and operating lines, poles, wires, and other necessary fixtures and electrical appliances in, upon, and through the streets, avenues, alleys, and other public places of the City of Cincinnati.

Whereas, The Cincinnati Edison Electric Company, a corporation under the laws of Ohio, made application in due form to the Board of Public Service of the city of Cincinnati for a permit to erect poles and string wires under the franchise granted to said the Cincinnati Edison Electric Company, under and by virtue of ordinances No. 248 and No. 256, passed respectively on May 6, 1892, and May 13, 1892, in and upon certain streets and avenues of said city in said application particularly set forth, which streets and avenues are in territory—to-wit,

* Acceptance of this ordinance filed October 2, 1900.

what was formerly known as the village of Avondale—annexed to the city of Cincinnati since said franchise was granted as aforesaid; and

Whereas, Said Board of Public Service has expressed a doubt as to the right of said the Cincinnati Edison Electric Company to erect poles and string wires and otherwise exercise its franchise for commercial electrical purposes in any part of said city which has been annexed thereto since said franchise was granted as aforesaid, and which is outside of the present public electric-lighting districts, and did for that reason refuse, and still refuses, to grant the permit so applied for as aforesaid to erect poles and string wires for commercial lighting purposes in the streets, avenues, etc., in said annexed territory :

Now, therefore, in order to remove any doubt which may exist as to the right of said the Cincinnati Edison Electric Company to erect its poles, string its wires, and furnish the electric current for commercial lighting, heating, and power purposes throughout the entire city of Cincinnati, be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That there is hereby granted to the Cincinnati Edison Electric Company, a corporation under the laws of Ohio, its successors and assigns, the right, privilege, and franchise of constructing, maintaining, and operating lines, poles, wires, posts, and other necessary fixtures and electrical appliances in, upon, and through the streets, alleys, lands, lanes, squares, and public places of the city of Cincinnati as now constituted, and any territory hereafter annexed thereto, for distributing and furnishing the electric current to said city and its inhabitants for light, heat, and power, and all other electrical purposes. This franchise is subject, however, to all the conditions, provisions, and limitations of said ordinances No. 248 and No. 256, and also general ordinance No. 4285, passed October 18, 1889.

A RESOLUTION Passed May 27, 1901.

Recognizing rights of the Cincinnati Gas and Electric Company.

Whereas, The Cincinnati Gas Light and Coke Company, a corporation duly organized under the laws of Ohio and doing business in the city of Cincinnati, having, under the authority conferred by the provisions of Section 3238a, changed its corporate name and title to that of the Cincinnati Gas and Electric Company; and

Whereas, The said the Cincinnati Gas and Electric Company having, under the authority conferred by the provisions of Section 3550a, acquired the stock, rights, franchises, and property interests of the Cincinnati Edison Electric Company, the Jones Brothers Electric Company, the Brush Electric Light Company, the First Cincinnati Edison Electric Illuminating Company, the Queen - City Electric Company, and the Hauss Electric Light and Power Company: Now, therefore, be it

Resolved, That the city of Cincinnati, through its Board of Legislation, hereby approves of and assents to such sale and transfer, and recognizes and accepts the said the Cincinnati Gas and Electric Company as the successor to all the rights, franchises, and obligations of either or all of said constituent companies; conditioned, however, that the said the Cincinnati Gas and Electric Company shall file with the city clerk a good and sufficient bond,* in the penal sum of one hundred thousand dollars, conditioned that it will assume and carry out in good faith any and all agreements, obligations, and contracts heretofore entered into by and between either of the aforesaid companies and the city of Cincinnati.

*The required bond was filed with the city clerk May 31, 1901.

SPECIFICATIONS for lighting by electricity the streets, lands, lanes, squares, and public places of the City of Cincinnati, adopted by the Board of Legislation June 10, 1901. These specifications are for bids to be opened July 19, 1901, for a contract for ten years from June 1, 1902. In previous compilations have appeared the specifications under which the Cincinnati Edison Electric Company has operated, and under which the Cincinnati Gas and Electric Company is now operating.

Bids will be received for the public lighting only of the streets, lands, lanes, squares, and public places of the city of Cincinnati with electricity under the following conditions :

1. As a condition precedent to the opening of any proposals for electric lighting under these specifications, any party desiring the consideration of his bid shall at the time of depositing such bid deposit with the city clerk a "certificate of deposit"—not certified check—of any reputable bank in the city of Cincinnati showing a deposit of the sum of \$100,000 to the credit of the city of Cincinnati for the use and benefit of said city, and no bid shall be opened or considered which is not accompanied by the certificate of the city clerk that said deposit has been made within the time specified. Such deposit, so made, being with the distinct understanding and agreement that in case the party so depositing be awarded a contract in strict accordance with the provisions of these specifications, when such contract is executed by said bidder, and a bond given as required by these specifications, with sureties satisfactory to the city, and the contract and bond approved by the officers of the city empowered so to approve, then said deposit or certificate shall be returned to the bidder; but in case such award is made to the party so depositing, and such party for a period of thirty days neglects or refuses to enter into a contract on the basis of these specifications, then in such case the money so deposited shall pass to and become the property of the city of Cincinnati, not by way of penalty, but as a consideration for the loss of time and expense incurred by the city in consequence of such failure to consummate and execute the contract thus awarded; and the city treasurer of

the city of Cincinnati shall thereupon indorse such certificate of deposit, and collect the money represented by such certificate, and pay the same into the city treasury. The certificates of deposit made by unsuccessful bidders under these specifications shall be returned to them immediately upon the awarding of the contract to the party who shall make the successful bid, or upon the rejection of all bids.

All labor, apparatus, lamp-posts, cables, wires, arc lamps, fixtures, fittings, connections, carbons, globes, and appurtenances of any and every description necessary for the lighting of the streets, etc., by electricity under these specifications shall be furnished by and at the expense of the contractor, as also for all electric current and labor of every description for supplying said lamps with electricity, and for maintenance and repairs of every kind. All construction, supply of current, carbons, globes, lighting, extinguishing and keeping in repair, and labor shall be done at the expense of the contractor, the intent and meaning of these specifications being that the city shall be at no expense at any time beyond the sums provided to be paid in the contract as drawn in conformity with these specifications.

2. The period for which the contract with the city of Cincinnati shall be awarded for electric lighting under these specifications shall be a period of ten years from and after the expiration of the existing contract, June 1, 1902.

3. Any award so made to any such party shall be absolutely unassignable, either by sale, transfer, or partnership arrangement, except by and with the consent of the Board of Legislation and Board of Public Service, but must be carried out and be continuously operated by and for the benefit of the party to whom said award is made; and if at any time it can be shown that there has, either directly or indirectly, been any transfer, or that the party to whom such contract was awarded is not directly or indirectly carrying the same out in good faith, and receiving all the benefits and bearing all the responsibilities of such operation, the consent of the

Board of Legislation and Board of Public Service not having been given, then the contract shall cease and determine, and become null and void; and if so voided, the Board of Legislation may proceed at once to advertise for proposals for a new contract, and order suit to be commenced for damages for the breach of said contract.

4. The territory to be lighted by the contractor under these specifications shall be the city of Cincinnati as its limits are now, or as they may hereafter be extended during the life of this contract. This territory shall be divided into two districts, to be known as the "Underground District" and the "Overhead District," respectively.

5. The "Underground District" shall be the territory included within the following boundaries: Eggleston Avenue from East Third Street to Broadway, Broadway to Liberty Street, Liberty Street to Freeman Avenue, Freeman Avenue to Seventh Street, Seventh Street to Baymiller Street, Baymiller Street to Fourth Street, Fourth Street to Smith Street, Smith Street to Third Street, and Third Street to Eggleston Avenue. Within this "Underground District" all lighting of all streets, lanes, lands, and public parks, squares, and places shall be supplied by and through underground electric wires, as herein provided.

6. The "Overhead District" shall be the entire city of Cincinnati as it is now, or as it may hereafter be enlarged or extended, remaining outside of the "Underground District" as above described, except that the city shall have the right, at its option, to continue the present incandescent lighting by means of gas in the suburban territory known as Avondale and Clifton; also the present lighting by means of electricity of that portion of the suburban territory known as the village of Linwood by the water department of the city; also such lighting by means of gas of Wards 1, 2, 26, 27, 28, 29, and 30 as the Board of Legislation may from time to time determine; as also to continue to light by gasoline the territory at present lighted, or that may be lighted under any new contract made

by the city for such gasoline lighting in the territory now so lighted.

In the "Overhead District" all lighting of all streets, lands, lanes, and public parks, squares, and places shall be supplied by overhead wires, which overhead wires shall be of the kind known as having triple-braid weather-proof insulation. Samples of this wire proposed to be used must be submitted to the Board of Public Service, and must be of standard quality, according to the state of the art at the time said wire shall be or was purchased and erected for service.

At any time during the existence of this contract the successful bidder shall have the privilege of supplying all or any portion of the public lamps within the herein designated "Overhead District" by means of underground wires, and in the event such change is made he shall be entitled to charge and receive for such service the prices awarded and paid for similar service in the "Underground District."

Should the city or other legal authority at any time order the electric-light wires placed underground beyond the limit of the "Underground District" as herein designated, the contractor shall thereupon change from overhead to underground service all lamps in such extended district. All lamps so changed shall thereafter be paid for by the city at the rate covered by the contract for lamps in the "Underground District"; and in addition the contractor shall receive a further sum, to be agreed upon by the city and contractor, in advance of the work being done, to cover the expense imposed on the contractor because of the necessary reconstruction of the lighting system.

7. The lighting of streets, lanes, lands, parks, squares, and public places under the contract shall be by means of electric arc lights of the inclosed type, in which the carbons are partly inclosed by and consumed within a close-fitting small glass globe. This small inclosing globe shall be of opal or opalescent glass, in order to secure a more perfect diffusion of the light, and at the same time to remove the glare of the electric

arc. This inclosing globe and the lower frame of the lamps must be inclosed in or surrounded by a larger protecting globe of clear glass. If thought desirable, opal or opalescent glass may be required by the Board of Public Service for this outer globe also, and without extra cost to the city, provided said outer globes are ordered at the time the lamps to be furnished with said opal outer globes are ordered to be erected. Immediately above these large outer globes shall be placed metal reflectors, so designed as to intersect and to reflect to the street much of the light that would otherwise be lost in space. These reflectors shall be of iron or other durable metal, shall be not less than twenty inches in diameter, shall be of slightly concave form on their reflecting surface, and shall have a white enameled finish on the under or reflecting surface, and be painted of some dark color on top. The arc lamps used shall give a steady, brilliant, diffused light, free from shadows under the lamp, or from shadows cast by the flame of the lamp, and shall consume energy and conform to the conditions following : All arc lamps shall use an amount of electrical energy represented by a flow of four amperes of current, under a difference of potential of not less than seventy-five volts per lamp, as measured at the generating station or at any substation from which said lighting circuits may be operated, and all such lamps shall be supplied with current through series circuits, unless consent to change to other form of circuits shall be granted by the city, through proper action of the Board of Public Service. All series circuits shall be supplied with alternating current by constant current transformers, which will automatically keep the amount of current in the circuit and the candle power of the lamps constant, and which will insulate the street-lighting circuits from each other and from the source of supply at the generating station, thereby giving protection from possible grounds or other electrical troubles.

It is hereby expressly agreed, however, that the bidder may, at his option, supply current to all lamps in the "Underground District" from constant potential circuits, and use lamps suit-

able for constant potential service. All such lamps, however, must use at least three and one fourth amperes of current, at a difference of potential of at least one hundred volts, and consume not less than three hundred and fifty watts, measured at the terminals of the lamp.

8. In the "Underground District" all lamps shall receive their supply of electrical energy from underground wires, which shall be placed beneath the surface of the street in a system of tubes, ducts, or conduits built in accordance with the most modern and best accepted practice, in order that constant and uninterrupted service may be assured.

A permit for the construction, maintenance, and operation of such underground and overhead systems for street-lighting service only will be granted the successful bidder for the term of the contract. The successful bidder shall be given nine months after the award of the contract to construct and complete such underground system, and if not so completed by reason of any cause beyond the control of the contractor, which shall prove satisfactory to the Board of Public Service, the contractor will be permitted to light any uncompleted portion of the "Underground District" temporarily by an overhead construction beyond June 1, 1902, equivalent to the number of days of unavoidable delay occasioned the contractor in completing the underground system, the same to be determined by the Board of Public Service as aforesaid. In such "Underground District" all lamps shall be suspended from iron poles or posts, the tops of which shall curve into graceful gosseneck fixtures, with suitable ornamentation, for the support of the lamp, and to be so designed that the lamp shall hang at a distance of not less than two feet from the pole. The lamp-poles or posts shall be of design not less ornamental than that attached to and made a part of these specifications as "Exhibit A." The city reserves the right to place street-signs on any of the poles to be erected by the contractor at any time during the term of the contract; the placing of said sign, if the same is to be done, to be done at the city's expense.

If the lamps in the "Underground District" shall be supplied by a series constant-current system, the bidder may, at his option, for the better insulation of the circuits, securing greater reliability of service, make a single section of each pole of some hard wood, which wooden section must be of not greater diameter than the iron, and must be finished and painted to conform to the finish of the iron parts of the poles. All such iron poles, unless otherwise ordered by the city, shall be set in a verticle position at the curb-line, on the inside of the curb-line, with the gooseneck top of the pole or post pointing towards the street at right angles to the curb-line at the point. All such iron poles in the "Underground District" shall be hollow, and the wires for supplying current to the lamps shall be brought up from the underground system or conduit through the pole to the lamp in such manner as to conceal the wires from view, and so as to protect the public from accidental contact with said wires. All poles shall be of such height that the bottom of the arc lamps suspended therefrom shall be not less than twelve feet above the surface of the street.

9. In the "Underground District," excepting as otherwise provided, and excepting such additional lamps as may be ordered by the Board of Legislation, one arc lamp shall be placed at each street intersection, and in addition thereto, on the principal streets where said lamps at intersections are farther apart than three hundred feet, lamps shall be placed at intermediate points, so that in no case shall any two consecutive lamps be farther apart than three hundred feet; the Board of Public Service to determine said principal streets.

On certain streets a great amount of travel and traffic require greater illumination than above provided for, and additional lamps shall be placed thereon. On such streets, instead of the number above provided for, there may be placed, at the option of the Board of Public Service, two lamps at each street intersection, one each at diagonally opposite corners, and in addition thereto lamps shall be so placed at inter-

mediate points that in no case shall any two consecutive lamps be further apart than one hundred and thirty-three feet; all lamps being placed alternately on opposite sides of the street.

The streets to have said greater illumination as above provided shall be designated by the Board of Public Service, and shall be within the territory bounded by Fourth Street on the south, Court Street on the north, Main Street on the east, and Central Avenue on the west; provided, however, that all intermediate lamps to be placed in the "Underground District" shall be at the intersection of alleys wherever the same is practicable, in which cases the distances herein provided for shall not govern.

10. In the "Overhead District" the method of supporting or suspending the lamp shall depend upon local conditions in each case, the aim being to use such method as to secure the most efficient and effective lighting of the streets and sidewalks. In general, lamps shall be suspended from strong, neat, ornamental iron fixtures or brackets of the gooseneck type, which shall be of such design and so attached to the carrying poles that the lamps shall hang about two feet away from the pole and about ten feet above the surface of the street. Where desirable, to avoid casting shadows from trees or other obstructions, the lamps may be suspended over the centers of the street on suspension wires or cables, arranged for lowering the lamp to the street for trimming, or that may be supported at a distance of from three feet to twelve feet from the pole from neat, strong mast-arms. When suspended over the centers of streets, however, the lamps must be maintained not less than twenty feet above the surface of the street, and when suspended from mast-arms more than two feet from the poles they must be maintained not less than fifteen feet above the surface of the street. When the lamps have been located and service connections made thereto in accordance with the foregoing specifications, they are to be permanently maintained in place where erected; provided, however, that to cover a case of

necessity or unlooked-for contingency the city may, at its own cost and expense, order a change of location or manner of suspension, providing it does not permanently discontinue service thereto. In the "Overhead District" one arc lamp shall be placed at each street intersection, and in addition thereto lamps shall be so placed between street intersections that the average distance between lamps shall not exceed approximately four hundred feet.

11. In the "Overhead District" all lamps shall receive their supply of electrical energy from wires having triple-braid, weather-proof insulation, and supported on poles of white cedar or other equally good material, which poles shall be smooth, clean shaven, round and straight, and shall be painted with two coats of good oil paint of a color to be designated for the poles of the successful bidder by the city.

All cross-arms shall be so attached as to stand at right angles to the body of the poles, and thus present a neat and workmanlike appearance, and must be painted two coats. All insulators on cross-arms must be of ample size and strength, and of deep groove, double petticoat type, and must be screwed on to locust or iron pins, firmly and securely fastened to the cross-arms.

No wire smaller than No. 8 Brown and Sharpe's gauge shall be used in the "Overhead District" in carrying out the provisions of this contract. It is the intent of these specifications to secure and assure the most substantial and durable form of construction, that uninterrupted service may be given and that accidents may be avoided.

Should any pole, post, wire, fixture, support, or other appliance be broken, or at any time be found in such condition as to be dangerous to the public, such break or defect shall be promptly repaired or remedied; but no default on the part of the Board of Public Service to require such repairs or remedy shall relieve the contractor in case of accident to persons or property by reason of such defective poles or appliances.

12. All lamps located as herein provided for shall be lighted every night in the year during the entire period provided for in these specifications, in accordance with the requirements of a schedule adopted by the Board of Administration of the city of Cincinnati February 1, 1893, and revised by said Board of Administration August 7, 1893, which schedule provides for a total lighting per year for each lamp of about 3,820 hours; provided, however, that no lamp shall be placed in either the "Underground" or "Overhead District" until the exact location thereof has been approved by the Board of Public Service; and provided further that nothing herein contained shall be construed to mean that any of the alleys of the city are to be lighted by electricity. All outages shall be immediately reported by the police to the Central Lighting Station. The policeman noticing same shall keep account as near as possible of the number of hours any lamp is allowed to remain out, which outage shall be reported to the superintendent of police, who will report same to the Board of Public Service.

To give the city a record of the amount of electrical energy actually furnished for street-lighting service in accordance with these specifications, the contractor shall furnish, erect, and permanently maintain at the generating stations, at his expense, all recording watt-meters necessary for measuring and recording daily the entire amount of electrical energy supplied to the city and used in said street-lighting service, thus providing a means of determining whether the contractor is complying with the conditions of these specifications and the contract. The city electrician shall be furnished a daily record of the readings of said watt-meters, and shall have authority to have the accuracy of such recording instruments tested in his presence at such times as the Board of Public Service may deem necessary; and any inaccuracy, if found, must thereupon immediately be corrected. Should the average amount of electrical energy supplied to the city, as recorded on said instruments or otherwise ascertained, be less than

required by these specifications, then a deduction from the amount to be paid the contractor shall be made proportionate to the amount of such ascertained deficiency, unless such deficiency or outage was the fault of the city.

13. Should the energy consumption of the lamps at any time prove to be below the standard fixed, a deduction proportionate to the decrease in electrical energy shall be made by the Board of Public Service from the price or prices to be paid under the contract, such measurements to be based on the volts and amperes or watts herein provided for in each case. For the purpose of making tests of the current and voltage supplied to the lamps, and of examining apparatus and appliances for generating, delivering, and using the electric current required by these specifications, it is understood and agreed that the contractor for electric lighting will furnish to the city electrician access at all times to all electric lamps, poles, posts, conduits, apparatus, or machinery on or in the streets, etc., or to any generating station of the contractor supplying current or light under these specifications, and the said city electrician, or his duly authorized agent, shall have the privilege at any and all times the lamps are burning of testing any of the aforesaid circuits, at such point or points as may be selected by said city electrician, by the use of such standard measuring instruments as he may desire to use, and he shall maintain such instruments in circuit for so long a time as he may deem advisable.

14. If in the opinion of the Board of Public Service the contractor is violating any of the conditions of the contract made under these specifications, or attempting to execute the same in bad faith, the Board of Public Service shall notify the contractor, and direct him to immediately remedy the defects or violations complained of; and if said contractor shall not within five days thereafter comply with all reasonable requirements of said Board of Public Service, and take such measures as shall, in the judgment of said board, insure a satisfactory performance of contract obligations, then said board shall

have the right, by and with the consent of the Board of Legislation, to at once provide for lighting temporarily with gas, gasoline, or electric light any part or all of the territory embraced in said contract until a new contract shall be made by the proper parties; and any excess of cost or any damage to the city caused by reason of such failure of the contractor to comply with the terms of the contract shall be paid to the city by said contractor. Provided, however, that if the contractor under these specifications shall claim he is carrying out his contract in good faith, and that there are no laches on his part, said claim shall be duly investigated by a board of arbitration, appointed in the following manner: One party to be named by the Board of Public Service; one party to be named by the contractor under these specifications; these two jointly to name a third; and the board of arbitration so constituted shall have submitted to it all the testimony with regard to such claim of default, and after full hearing, at which all parties shall have the right to be present, the majority decision shall be binding upon the city and the contractor. The expense of such arbitration shall be equally divided between the city and the contractor.

15. It shall be further provided in any such contract based upon these specifications that all payments shall be made upon the certificate of the city electrician or other designated agent of the Board of Public Service, approved by said board, within the first five days of each and every month during the continuance of said contract; and it is further provided that in case of any just cause for disagreement the contractor shall not be entitled to demand or receive payments for any services rendered or work done not provided for in these specifications until all agreements regarding such services rendered or work done shall have been complied with, and the city electrician shall have given his certificate to this effect.

It shall be further provided in any such contract that no person shall be employed as an artisan, mechanic, or laborer in the execution of any part of the work herein provided

for who shall not have been a bona fide resident of the city of Cincinnati for at least six months prior to the date of his employment. In case the contractor knowingly violates this requirement of the specifications, or if after notice that any such non-resident is so employed he continues to employ him, the city will retain out of the moneys due the contractor under said contract the sum of two dollars per day for each man so employed contrary to the terms hereof; said sum of two dollars per day for each of such persons being deemed and held to be liquidated damages for violation of this provision. Exceptions to this rule shall be made for expert workmen.

It shall also be further provided in any such contract that the service of all laborers, workmen, and mechanics employed upon the work under said contract and these specifications shall be limited and restricted to eight hours in each and every calendar day, except in cases of extraordinary emergency caused by fire, flood, or danger to life and property; and said contractor agrees that upon violation by him of the foregoing stipulations he shall be liable, by way of penalty, in the sum of ten dollars for each laborer, workman, or mechanic for each and every calendar day in which each laborer, workman, or mechanic shall labor more than eight hours; and the amount of such penalty or penalties shall be withheld by the Board of Public Service from any money or moneys due or to become due to said contractor under the said contract; and said Board of Public Service shall not rebate or remit any penalty or penalties imposed under the foregoing stipulation, unless upon a finding which said Board of Public Service shall make up and certify that such penalty or penalties were imposed by reason of an error of fact.

16. Any party which may be awarded a contract under the provisions of these specifications shall, as a condition precedent to signing same, deposit as security for the performance of the contract one hundred thousand dollars, in securities of the United States, state of Ohio, or city of Cincinnati, with the Sinking Fund Trustees of Cincinnati, Ohio, or file with the

Board of Public Service a good and sufficient bond, in the penal sum of one hundred thousand dollars, signed by a satisfactory surety company, and conditioned that such contractor shall faithfully perform such contract according to all the terms thereof and the conditions and provisions of these specifications, and that said contractor will not, either directly or indirectly, except as herein provided, transfer, assign, or sublet the same to, or permit the services to be rendered by, any other person, firm, or corporation; such bond and contract to be approved by the corporation counsel as to form and by the Board of Public Service as to sufficiency. Said bond shall be renewed at any time upon demand of the Board of Public Service. Should the party to whom said contract is awarded, and who enters into the same, fail to commence lighting under the terms of this contract upon June 1, 1902, in accordance with these specifications and his contract, in such case the contractor shall pay to the city a sum computed at the rate of ten dollars per month for each lamp ordered under the contract and not connected to either underground or overhead service on said date, such payment to the city for each lamp to be made for the full period from June 1, 1902, until such lamp shall be started in service. Such payment shall be made as a consideration for the loss of time and for expenses incurred by the city in consequence of the failure to carry out the contract thus awarded; but nothing herein contained shall be construed or held to mean that said contractor or his sureties shall be released from their liability under said bond for the faithful performance of this contract for the full term thereof.

That the contractor may not be delayed by the city in his construction work, preventing the furnishing of full and complete service by and on the date named (June 1, 1902), the city shall designate the location of all lamps within thirty days after being requested so to do by the contractor. If the city fails to designate the location of any or all lamps within thirty days after being so requested to do, then the contractor, at his option, shall designate the location of and erect and maintain

in service all such lamps in accordance with the requirements of these specifications.

17. All bids shall contain two propositions, one stating the price per lamp per year for lighting service in the "Underground District," and the other stating the price per lamp per year for lighting service in the "Overhead District." The two propositions shall be considered together, and not separately, as going to make up one bid, the intent being to award the entire lighting to one contractor. All lighting, extinguishing, and keeping in repair of all lamps shall be done by the contractor, the intent and meaning of these specifications being that the city shall be at no expense for lighting service beyond the price to be paid per lamp per year as specified in the contract.

All bids shall state each price separately, in writing and in figures, per lamp per year, be under seal, and be addressed to the committee on light of the Board of Legislation, care of the city clerk, and be delivered to the city clerk at his office on or before 12 o'clock M. of the day upon which proposals are to be received, and shall be opened by said committee, or a majority of said committee, between 12 M. and 1 P. M. on said day, in the presence of all bidders who may choose to be present. The bids shall be in strict conformity to these specifications, and shall be subject to the provisions of what is known as the General Electric Light Ordinance No. 4285, purporting to have been passed October 13, 1898, as to the mode and manner of lighting, so far as not inconsistent with these specifications; and said Ordinance No. 4285 is hereto attached, and made a part of these specifications so far as not inconsistent with the provisions above stated.

18. The contractor for electric lighting hereunder, as a condition in said bond, shall indemnify and hold harmless the city of Cincinnati, the mayor, the Board of Legislation, and Board of Public Service of the city against any and all claims which may be made by reason of any infringement of any patent right in the use of lamps, dynamos, or any other article,

apparatus, or process which may be used in operating or maintaining the lamps under these specifications; and said bond shall also indemnify and hold harmless the mayor, the Board of Legislation, and the Board of Public Service of the city of Cincinnati, its officers, agents, or servants, and each and every one of them, against and from all suits or actions of every name and description brought against the city of Cincinnati, the mayor, Board of Legislation, Board of Public Service, or any of its officers, agents, or servants; and also from damage and costs to which it, they, or any of them may be put by reason of injury to the person or property of any other, resulting from negligence or carelessness, or otherwise, in the performance of its obligations under this contract, to-wit: By lighting the streets, or from any improper or defective material, wire, cable, bracket, post, lamp, implements, or other appliances use in the performance of the same, or from any act or omission of said contractor for lighting, or of its agents or employees.

19. Whenever any street, land, lane, square, or public place within the city limits is lighted by electricity under any contract made in accordance with the terms and conditions of these specifications, all other lighting at the expense of the city of such street, land, lane, square, or public place shall be immediately discontinued from time to time as said streets, etc., are so lighted by electricity hereunder, and the Board of Public Service shall notify all other persons or companies furnishing gas, gasoline, or electric lighting at the expense of the city to discontinue such lighting as soon as such street, land, lane, square, or public place provided for herein have been lighted under the contract to be made with the successful bidder.

20. Bids under these specifications will be received from companies incorporated under the laws of Ohio, or parties who shall state their intention to become incorporated under the laws of this state if awarded a contract, and who shall furnish in their bid the incorporated title under which they shall be known, with the list of their proposed incorporators, and the

amount of their capital stock, or private parties who may express an intention to carry out the contract if awarded them under their own names and as such private parties, but no transfer or assignment shall be allowed or permitted to any parties or corporations not specified as the ones for whom the bid may be made.

21. The award, if made, shall be to the lowest responsible bidder, and the Board of Legislation reserves the right to reject any and all bids.

No. 301. Passed July 1, 1892.

To authorize the inspector of buildings to appoint an assistant to act as inspector of fire-escapes.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the inspector of buildings of said city be and he is hereby authorized to appoint an assistant in his office, who shall act as "inspector of fire-escapes," at a salary of fifteen hundred dollars per annum, and to hold his office during the pleasure of said inspector of buildings. Said inspector of fire-escapes shall be a competent and experienced mechanic of such trade or profession as shall, in the opinion of the inspector of buildings, be of greatest service to the department. [Void: see Steinkamp case, Supreme Court.]

No. 53. Passed September 5, 1890.

Giving fire-engines, hose-carts, hose-wagons, ladder-wagons, and salvage-corps wagons the right of way in going to fires.

Be it ordained by the City Council of Cincinnati:

That all fire-engines, hose-carts, hose-wagons, ladder-wagons, and salvage-corps wagons going to fires shall have the right of way through the streets in preference to all street cars and vehicles of all descriptions.

No. 491. Passed March 31, 1893.

Authorizing the Board of Fire Trustees to contract with the City and Suburban Telegraph Association for the use of telephone switchboard and its equipment, and for rental of all telephones, transmitterz, magnet-bells and battery-boxes, and exchange service for the use of the Cincinnati Fire Department for the term of ten years.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Board of Fire Trustees be and they are hereby authorized to enter into a contract with the City and Suburban Telegraph Association of the city of Cincinnati for the use of one switchboard of the latest improved type, with full equipment for sixty metallic circuit lines, with one long-distance transmitter and one head telephone, all complete, for the use of the fire department for the term of ten years, and for the rental of all the telephones, transmitters, magnet-bells, and battery-boxes, with backboards complete and exchange service necessary to equip all engine-houses, offices, and residences of officers and trustees of the Cincinnati Fire Department for said term of ten years.

SEC. 2. The rental of the switchboard and all telephones, transmitters, and necessary equipments shall not exceed seven hundred and fifty dollars per year.

No. 1009. Passed December 6, 1895.

To prevent the kindling of fires in any of the streets, avenues, lanes, landings, parks, or other public places within the limits of the City of Cincinnati, unless confined within a proper and safe receptacle.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful for any person or persons to kindle or cause to be kindled any fire in or upon any of the streets, avenues, lanes, landings, parks, or any of the public places within the limits of said city, unless the same be confined within a proper and safe receptacle.

SEC. 2. Any person or persons violating any of the provisions of Section 1 of this ordinance shall be deemed guilty

of a misdemeanor, and upon conviction thereof in the Police Court of said city shall be fined in any sum not exceeding twenty-five dollars.

NO. 842. Passed May 12, 1902.

Declaring the necessity for the establishment and maintenance of a firemen's pension fund in the City of Cincinnati.

Whereas, The General Assembly of Ohio did on April 23, 1902, pass a certain act, entitled "An act authorizing the levy of taxes in municipalities to provide for firemen, police, and sanitary police pension or relief funds, and to create and perpetuate boards of trustees for the administration of such funds"; and

Whereas, Said act provided in Section 1 thereof that in any municipal corporation in this state having or which may hereafter have a fire department, supported in whole or in part at the public expense, the Council, Board of Legislation, or other legislative body may by ordinance declare the necessity for the establishment and maintenance of a firemen's pension fund, for the purposes named in said act; and

Whereas, Said act further provided that upon such determination by the Council, Board of Legislation, or other legislative body there should be created in any municipality a board of trustees, to be known as the "Trustees of the Firemen's Pension Fund," who shall administer and distribute the funds authorized to be raised by said act: Therefore—

SEC. 1. *Be it ordained by the Board of Legislation of Cincinnati*, That the necessity is hereby declared for the establishment and maintenance of a firemen's pension fund in the city of Cincinnati, and the creation of a board of trustees who shall administer and distribute said fund, and said fund shall be established and maintained, and said board of trustees shall be created in such manner and perform such duties, as is provided in said act of the General Assembly, passed April 23, 1902.

SEC. 2. That the city clerk is, upon the final passage of this ordinance, hereby authorized and directed to serve upon the Trustees of the Fire Department of the city of Cincinnati a certified copy of said ordinance, which shall be authority for said trustees to proceed, in the manner provided for in said act of the General Assembly, to hold the election provided for in said act for the members of the Board of Trustees of the Firemen's Pension Fund, who shall be chosen from among the members of said fire department. Upon the election of said members, who, together with the Trustees of the Fire Department, shall constitute the Board of Trustees of the Firemen's Pension Fund, said board shall organize and proceed to the establishment, maintenance, administration, and distribution of the firemen's pension fund authorized by said act of the General Assembly.

NO. 16. Passed May 18, 1903.

Providing for the organization of the fire department.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. The fire department of the city of Cincinnati shall be composed of the following officers and members, who shall receive the salaries hereinafter provided, payable semi-monthly. They shall give bond as herein provided.

1. A chief of the fire department, who shall receive a salary of \$5,000 per year, and who shall give a bond in the sum of \$10,000.

2. Two marshals, who shall each receive a salary of \$2,300 per year.

3. Six assistant marshals, who shall each receive a salary of \$2,100 per year. Said marshal and assistant marshals shall each give a bond in the sum of \$5,000.

4. Four hundred and eighty-three firemen, of whom one shall receive a salary of \$1,800 per year; one a salary of \$1,500 per year; forty-three a salary of \$1,260 per year each; thirty-eight a salary of \$1,200 each per year; fifty a salary of

\$1,116 each per year; three hundred and forty a salary of \$1,080 each per year; six a salary of \$924 each per year; and four a salary of \$900 each per year.

5. Forty substitute firemen, who shall each receive a salary estimated at the rate of two dollars per day for each day of actual service. Said firemen and substitutes shall each give a bond in the sum of \$1,000.

6. Three telephone operators, who shall each receive a salary of \$600 per year.

7. Five telegraph operators, of whom three shall each receive a salary of \$1,140 per year; one a salary of \$780 per year; and one a salary of \$600 per year.

No. 264. Passed January 4, 1904.

Providing for the relief of members of the fire and police departments temporarily disabled in the discharge of their duties.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. Members of the police and fire departments, when temporarily disabled while assuming, undertaking, or performing extraordinary risks in consequence of and while in the actual performance of official duty may, at the discretion of the Board of Public Safety and under such rules as may be adopted by said board, draw all or such part of their regular salary, and for such time as may be determined by the Board of Public Safety, but not exceeding such temporary disability.

A RESOLUTION. Passed October 9, 1891.

As to the use of street dirt and ashes in making fills.

Resolved by the Board of Legislation of Cincinnati :

That the Board of Administration be and they are hereby directed and instructed to use all street dirt and ashes in filling to grade streets which have been dedicated to the city; and that the custom of filling in such street dirt and ashes on private property, or any property other than regularly dedicated streets, be discontinued and prohibited.

No. 198. Passed June 27, 1898.

To provide for the protection of flags and other decorations.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful for any person to remove, destroy, molest, deface, or disarrange any flag or other decoration that may be used by any other person in, upon, or about any building in the city of Cincinnati, to indicate celebration of any holiday or public event, without the consent of the owner thereof.

SEC. 2. It shall be the duty of the police force of the city of Cincinnati to arrest any person found offending against the provisions of this ordinance. Any person convicted in the Police Court of any such removal, destruction, molestation, defacement, or disarrangement of any flag or other decoration in, upon, or about any building of the city of Cincinnati, indicative of celebration of any holiday or public event, without the consent of the owner thereof, shall be fined in any sum not less than five dollars nor more than twenty dollars, together with the costs of prosecution, at the discretion of the court.

No. 818. Passed July 27, 1894.

To provide for the erection and maintenance of public watering-fountains for man and beast.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That public watering-fountains for man and beast be established at or near the following-named places in said city, to-wit:

- One at Front and Butler streets;
- One at Park and Second streets;
- One at Wood and Fifth streets;
- Two at City Hall;
- One at Court-house;
- One at Flower-market;
- One at East McMicken Avenue, near Vine Street;

- One at Broadway and Court Street ;
- One at Gilbert Avenue, opposite Effluent-pipe Street ;
- One at St. Francis de Sales Church ;
- One at Vine Street, top of hill ;
- One at McMicken Avenue and Browne Street ;
- One at Colerain and Spring-Grove avenues ;
- One near Fairmount Woolen Mills ;
- One at Eighth Street and State Avenue :
- One at Warsaw and Glenway avenues ;
- One at Sixth Street and State Avenue ;
- One at Reading Road and Mount Gregory Street ;
- One on Pearl Street, between Plum and Elm streets ;
- One at Public Landing ;
- One at Eastern and Delta avenues ;

and at such other places as shall be from time to time designated by resolution of the Board of Legislation.

A RESOLUTION. Passed August 12, 1901.

Resolved, That that the mayor is hereby requested to cause a change of location of the watering-fountain on Queen - City Avenue near Harrison Avenue to Queen - City Avenue about thirty feet west of Lawnway Avenue.

A RESOLUTION. Passed April 21, 1902.

Be it resolved by the Board of Legislation of Cincinnati:

That the fountain known as "Gamble Fountain," located at or near the intersection of Harrison Avenue and Epworth Avenue, be designated as a public watering-fountain for man and beast, and that the same be cared for in the same manner as other public watering-fountains specially mentioned in the ordinance passed July 27, 1894.

No. 6. Passed May 4, 1903.

To provide for the care of watering-fountains in the City of Cincinnati.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. The care and control of all public watering-fountains for man and beast in the city of Cincinnati is hereby placed in the Board of Public Service.

SEC. 2. Any person injuring or damaging any public watering-fountain for man and beast shall be deemed guilty of a misdemeanor, and shall on conviction thereof be fined not to exceed twenty-five dollars and the costs of prosecution.

SEC. 3. Sections 2, 3, 4, and 5 of an ordinance entitled "An ordinance to provide for the erection and maintenance of public watering-fountains for man and beast," passed July 27, 1894, are hereby repealed.

No. 576. Passed November 19, 1900.

To provide for the erection of a monument to mark the location of Fort Washington.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission be and hereby is granted to erect a monument to mark the location of Fort Washington, either in the sidewalk on Third Street or in Third Street, or partly in said sidewalk and the street, between Broadway and Ludlow Street, as the committee having the erection of such monument in charge may, with the approval of the Board of Public Service, decide; the entire work to be done to the satisfaction and under the direction of the Board of Public Service of the city of Cincinnati, Ohio.

NO. 751. Passed November 18, 1901.

To provide for the depositing and regulating the manner of collecting the garbage, etc., of the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. It is hereby made the duty of the occupant or occupants of every dwelling-house or other building in the city of Cincinnati to provide a suitable and water-tight box or other vessel, of a convenient size to be handled by the garbage collector, in which such occupant or occupants shall cause to be placed or deposited all offal, garbage, and refuse animal and vegetable matter of the premises. Such occupants shall keep such box or other vessel in the alley in rear of such premises, wherever there are alleys in the rear of such premises, or at a place on the premises most accessible to the person collecting the garbage and offal; and it shall be unlawful to put any but refuse animal and vegetable matter in the vessel used for garbage and offal. Provided that if the said receptacle is placed in the alley it shall be provided with a tight cover, properly closed, and shall be located next to the lot-line.

SEC. 2. The word "garbage" shall be held to include all refuse of animal and vegetable matter which has been used for food for man, and all refuse animal and vegetable matter which was intended to be so used, and includes condemned food. All garbage shall be collected in water-tight closed metal boxes, and such boxes shall be purified as often as the Board of Public Service shall direct, and shall have painted thereon the word "Garbage."

SEC. 3. It is hereby made the duty of the contractor with the city of Cincinnati for the collection and removal of garbage and dead animals to collect and remove, in accordance with the ordinances and contract of the city, all garbage, dead animals, fish, and refuse animal and vegetable matter found within the city limits. No other person or party except the city contractor or its agents shall carry, convey, or transport through the streets, alleys, or public places of the city of Cincinnati such

materials; and it shall be unlawful for any person to interfere in any manner with the collection and disposal of such materials by the city contractor.

SEC. 4. It shall be unlawful for any person to deposit, throw, or place any garbage, fish, dead animals, or refuse animal and vegetable matter in any avenue, alley, street, or other public place within the city of Cincinnati, nor shall any person place such materials upon any private property, whether owned by such person or not, unless the same shall be inclosed in proper vessels or boxes, as provided in Section 1.

SEC. 5. The collection and removal of garbage shall be under the supervision of the Board of Public Service, and it shall be the duty of the Board of Public Service and police department, through their proper officials and agents, to enforce the provisions of this ordinance.

SEC. 6. That any person or persons violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof in the Police Court shall be punished by a fine of not more than fifty dollars and the costs of the prosecution.*

* This ordinance has been declared "void and of no effect" by the Circuit Court of Hamilton County. David Bauer was charged in Police Court with transporting garbage through the streets in violation of the following portion of Section 3 of the ordinance: "No other person or party except the city contractor or his agents shall carry, convey, or transport through the streets, alleys, or public places of the city of Cincinnati such materials." Convicted in the Police Court and fined fifty dollars and costs, which he declined to pay, Bauer was committed (technically) to the Workhouse to serve out the fine and costs. *Habeas corpus* in his behalf was sought in the Insolvency Court, where the ordinance was held valid and the application denied; judgment affirmed in Common Pleas. In the Circuit Court reversal of judgment was sought and obtained, on the ground of the words "includes condemned food," in the second section. The court says: "Condemned food which has not been abandoned by the owner and has a commercial value is not liable to create a nuisance. . . . The provision that no person may convey through the streets any dead animals or fish without regard to the cause of death or the purpose for which they are intended to be used is open to the same objection."

No. 772. Passed December 30, 1901.

Accepting the bid of Marvin H. Chamberlin and John B. Corliss of Detroit, Mich., for the collection, removal, and disposal of garbage, dead animals, and animal offal from dwellings, hotels, stockyards, slaughter-houses, markets, streets, alleys, lands, lanes, squares, and public places of the City of Cincinnati, as provided for in the specifications under which said bid was received.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the bid of Marvin H. Chamberlin and John B. Corliss of Detroit, Mich., for the collection, removal, and disposal of garbage, dead animals, and animal offal from dwellings, hotels, stockyards, slaughter-houses, markets, streets, alleys, lands, lanes, squares, and public places of the city of Cincinnati—said bid being opened on December 11, 1901, by the committee on health of the Board of Legislation—be and the same is hereby accepted, and the contract for said work, in accordance with the specifications upon which said bid was received, is hereby awarded to the said Marvin H. Chamberlin and John B. Corliss of Detroit, Mich.

SEC. 2. The Board of Public Service is hereby authorized and directed to contract with said persons in accordance with said bid, and in accordance with the specifications under which said bid was received and opened.*

SPECIFICATIONS for the collection, removal, and disposal of garbage, dead animals, and animal offal from dwellings, hotels, stockyards, slaughter-houses, markets, streets, alleys, lands, lanes, squares, and public places of the City of Cincinnati.

SEC. 1. Bids will be received for the collection, removal and disposal of garbage, dead animals, and animal offal from dwellings, hotels, stockyards, slaughter-houses, markets, streets, alleys, lands, lanes, squares, and public places of the city of Cincinnati for a period as follows: For the collection, removal,

* Assigned to Cincinnati Reduction Company by consent of the boards of Legislation and Public Service, properly approved. (See B. of L. Minutes, January 27, 1902.) Contract and transfer sustained in Common Pleas (Judge Smith) August 26, 1902.

and disposal of garbage for a period of five years from and after June 1, 1902; and for the collection, removal, and disposal of dead animals and animal offal for a period of about three years and eleven months from and after July 3, 1903; the entire contract to terminate on the 31st day of May, 1907.

SEC. 2. The term "garbage," wherever it occurs in these specifications, means all refuse of animal and vegetable matter which has been used for food for man, and all refuse animal and vegetable matter which was intended to be so used, and includes condemned food. The term "dead animals and animal offal," wherever it occurs in these specifications, means all dead animals or parts thereof not intended to be used as food for man.

SEC. 3. Collections shall be made daily from all the public markets, hotels, restaurants, fish-markets, butcher-shops, hospitals, slaughter-houses, produce commission houses, and from all other places where animals, game, or fowls are killed within the city; provided, however, that the removal of dead animals and animal offal shall be at such hours as shall be prescribed by the health officer.

SEC. 4. During the months of April, May, June, July, August, September, and October collections of garbage shall be made three times each week from all houses in the residential or densely-populated portion of the city—this territory to be designated, from time to time, by the Board of Public Service, through its superintendent of the street-cleaning department—and also from all other places where garbage may accumulate within such territory, excepting those places mentioned in the foregoing paragraph. In all other portions of the city two collections shall be made each week in all places where garbage may accumulate, except those mentioned in Section 3. At all other times of the year, except the months of April, May, June, July, August, September, and October, and in all places other than those mentioned in Section 3, two collections shall be made each week. All collections to be made at regular intervals during each week acceptable to the

Board of Public Service; but under no circumstances is garbage to be collected on Sunday, unless otherwise ordered by the Board of Public Service. The contractor shall also, immediately upon receiving notice of any animal dying from disease, condemned, or unfit for food, or having been killed by accident, provide for its removal.

SEC. 5. The Board of Public Service shall have authority to order extra collections to be made at any time when they deem the same necessary.

SEC. 6. Dead animals, lying upon any of the streets, alleys, or public highways, or elsewhere, must be removed immediately to the disposal plant upon receiving notification thereof from the Board of Public Service or police department.

SEC. 7. Garbage and dead animals and animal offal shall be collected in and transported through the streets of the city in vehicles with water-tight closed metal boxes, the same to be approved by the Board of Public Service, and shall not be changed without the approval of said board. The same must be disposed of in a sanitary manner, by the reduction method, not prejudicial to the public health. The process must be not only not offensive or noisome in its operation, but must also be effective and sanitary in the destruction or reduction of garbage, dead animals, or animal offal. And all receptacles for the collection of said garbage, dead animals, and animal offal must be thoroughly washed after unloading.

SEC. 8. All collection of garbage shall be made within the hours of 5 A. M. and 4 P. M., unless otherwise ordered by the Board of Public Service.

SEC. 9. The entire work of collecting, removing, and disposing of garbage, dead animals, and animal offal shall be at all times accessible to the members of the Board of Legislation and Board of Public Service, or their authorized representatives.

SEC. 10. The city will, in so far as it is practicable to do so, prevent the dumping of all garbage, dead animals, or animal offal within the city limits.

SEC. 11. The city agrees on her part to prevent, as far as may be lawful, any parties other than the contractors from gathering, hauling, removing, or carrying any garbage, dead animals, or animal offal within the city limits.

SEC. 12. The contractor shall have the right to the use of a wharf, to be designated and provided by the city, free of any cost whatever to the contractor, for all purposes connected with the removal of such garbage, dead animals, and animal offal.

SEC. 13. If any garbage, dead animals, or animal offal are to be disposed of by the contractor within the city limits, the location of the plant for the disposition of the same must be approved by the Board of Public Service.

SEC. 14. Each bidder shall submit with his bid drawings distinctly and clearly showing his method by which it is intended to dispose of the garbage, dead animals, and animal offal; but no bid will be considered which contemplates the dumping of such material either within or without the corporate limits of the city or feeding the same to animals.

SEC. 15. Each bidder must satisfy himself, by his own observations and figures, as to the quantity of work to be done, and must bid to collect, remove, and dispose of all garbage, dead animals, and animal offal regardless of the quantity it may be.

SEC. 16. Bidders will be required to build and put in operation, in a sanitary working order, a plant or plants of ample capacity to dispose of all the garbage, dead animals, and animal offal collected each day within twenty-four hours after its collection; work to be begun on said plant or plants within forty days after the execution of the contract, and to be completed at least fifteen days before the time fixed for the commencement of the work under these specifications.

SEC. 17. All receptacles, carts, or conveyances of whatever kind used for the collection and removal of garbage, dead animals, and animal offal, shall be so constructed and loaded as to prevent any part thereof from falling on any of the streets,

alleys, lanes, or public highways of the city, and each of them shall be kept and maintained in a clean and sanitary condition, to the satisfaction of the Board of Public Service, and must have the name of the contractor and the number of the wagon printed on each side of the same in letters of a size to be easily read.

SEC. 18. No money, reward, gratuity, fee, or other valuable consideration, except the compensation agreed to be paid by the city, shall be charged, received, or taken by the contractor, or any of his agents or employees, for doing or failing to do any part of the work required to be done under these specifications.

SEC. 19. The contractor shall at all times use such appliances, and employ such or so many men, for the performance of all the operations connected with the work embraced under these specifications as will secure a satisfactory rate of progress and quality of work.

SEC. 20. In case it shall appear at any time that the work or any part thereof is not being properly done, the same shall be immediately corrected upon the demand of the Board of Public Service; but no omission on the part of the Board of Public Service to notice or call attention to such defect shall be held to be a waiver of said right of said board to do so, or from directing the same to be corrected as aforesaid.

SEC. 21. In case of failure by the contractor to comply in any respect with the specifications or with the contract, the Board of Public Service shall have the right and power and are authorized to provide for the collection, removal, and disposal of garbage, dead animals, and animal offal which the contractor shall fail to collect, remove, or dispose of, and to charge the expense to the contractor.

SEC. 22. If any employee of the contractor uses improper language, or be under the influence of liquor while on duty, or demand pay from citizens for service rendered, or falsify any report he may be called upon to make, the contractor shall at once discharge such employee from his service. The contractor

shall not knowingly employ on any work under his contract any person who has been discharged in compliance with the foregoing requirement.

SEC. 23. The contractor shall make weekly reports, on blanks approved by the Board of Public Service, which shall show the number of each collection district, the number of each vehicle employed therein, and the number of full loads and parts of loads, and the weight of each, or in the case of dead animals the number and species collected. Such reports shall show also the number of men and of horses employed each day with each vehicle.

SEC. 24. All work shall be done under the supervision of the superintendent of street cleaning, and all details of such work as are not herein particularly specified shall be done in a manner acceptable to him.

SEC. 25. The contractor shall have and maintain telephone communication with the office of the Board of Public Service, the health department, the police department, and the street-cleaning department at his expense, and be prepared to receive orders at any time.

SEC. 26. No person shall be employed by the contractor as an artisan, mechanic, or laborer, in the execution of any part of the work herein provided for, who shall not have been a bona fide resident of the city of Cincinnati for at least six months prior to the date of his employment. In case the contractor knowingly violates this requirement of the specifications, or if after notice that any such non-resident is so employed he continues to employ him, the city will retain out of the moneys due to the contractor under said contract the sum of two dollars per day for each man so employed contrary to the terms of this agreement, said sum of two dollars per day for each of such persons being deemed and held to be liquidated damages for violation of the contract. Exceptions to this rule shall be made for expert workmen.

SEC. 27. The employment of all laborers, workmen, and mechanics employed upon the work shall be limited and re-

stricted to eight hours in each and every calendar day, except in cases of extraordinary emergencies caused by fire, flood, or danger to life and property; and the contractor shall agree that, upon violation by him of the foregoing stipulation, he shall be liable, by way of penalty, in the sum of ten dollars for each laborer, workman, or mechanic for each and every calendar day in which each laborer, workman, or mechanic shall labor more than eight hours, and the amount of such penalty or penalties shall be withheld by the Board of Public Service from any money or moneys due or to become due to said contractor under the contract; and said board shall not rebate or remit any penalty or penalties imposed under the foregoing stipulation, unless upon a finding which said board shall make up and certify that such penalty or penalties were imposed by reason of an error of fact.

SEC. 28. Each bid shall be accompanied with a bond in the sum of ten thousand dollars, properly stamped and signed by two sureties, for the acceptance of the contract if awarded by the city of Cincinnati, or the bidder may deposit with the city clerk in lieu of such bond a certified check or bank certificate of deposit, payable to the city of Cincinnati, or cash equal in amount to the bond as above required; and the persons to whom the contract is awarded shall enter into a bond within ten days after the contract has been awarded, in the sum of fifty thousand dollars, to faithfully carry out the contract.

SEC. 29. The contractor shall indemnify and hold harmless the city of Cincinnati, the mayor, the Board of Legislation, and the Board of Public Service of the city against any and all claims which may be made by reason of any infringement of any patent right in the use of any machinery or apparatus necessary in the disposal of the garbage, dead animals, and animal offal under these specifications; and said bond shall also indemnify and hold harmless the mayor, the Board of Legislation, and the Board of Public Service of the city of Cincinnati, its officers, agents, or servants, and each and every one of them, against and from all suits or actions of

every name and description brought against the city of Cincinnati, the mayor, Board of Legislation, Board of Public Service, or any of its officers, agents, or servants; and also from damages and cost to which it, they, or any of them may be put by reason of injury to the person or property of any other, resulting from negligence or carelessness or otherwise in the performance of its obligations under the contract, or from any defective or improper appliances used in the performance of the same.

SEC. 30. All labor and equipment of every kind necessary to carry out the provisions of these specifications shall be furnished by and at the expense of the contractor, including the cost of constructing the plants necessary to dispose of the garbage, dead animals, and animal offal.

SEC. 31. When the contract has been entered into it shall be absolutely unassignable, either by sale, transfer, or partnership arrangement, except by and with the consent of the Board of Legislation and Board of Public Service, but must be carried out and be continuously operated by and for the benefit of the party to whom said award is made; and if at any time it can be shown that there has, either directly or indirectly, been any transfer, or that the party to whom such contract was awarded is not directly or indirectly carrying the same out in good faith, and receiving all the benefits and bearing all the responsibilities of such operation, the consent of the Board of Legislation and Board of Public Service not having been given, then the contract shall cease and determine, and become null and void; and if so voided the Board of Legislation may proceed at once to advertise for proposals for a new contract, and order suit to be commenced for damages for the breach of said contract.

SEC. 32. Monthly payments shall be made to the contractor within the first five days of each and every month; said payments to be upon the certificate of the superintendent of the street-cleaning department, or other designated agent of the Board of Public Service, approved by said Board, and shall be

apportioned according to the contract price for each year during the existence of the contract.

SEC. 33. All parts of these specifications are intended to be explanatory of each other, but in case any misunderstanding or doubt as to the meaning of any of the provisions thereof shall arise, the same shall be submitted to the Board of Public Service for its decision, and the interpretation of said board shall be final.

SEC. 34. The Board of Legislation reserves the right to reject any and all bids.

NO. 3974. Passed September 28, 1887.

To provide for the erection of the Garfield statue.

Be it ordained by the Common Council of Cincinnati (a majority of all the members elected to each board concurring), That permission is hereby granted to erect the Garfield statue at the intersection of Race Street and Garfield Place; and permission is also granted to open Race Street at above-named point for the purpose of erecting the pedestal of said monument. The entire work to be done under the direction and to the satisfaction of the Board of Public Affairs.

NO. 544. Passed October 8, 1900.

Prohibiting assemblages for public meetings in Garfield Place, or upon any street, alley, or sidewalk within one hundred feet thereof, without permit of the mayor.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the assemblage of persons in Garfield Place, or upon any street, alley, or sidewalk within one hundred feet thereof, for the purpose of holding a public meeting, without the written permit of the mayor first obtained, is hereby declared unlawful, and any person conducting such meeting or participating therein, on conviction thereof, shall be fined in any sum not exceeding one hundred dollars. All permits herein provided for are revocable at any time.

NO. 341. Passed July 31, 1899.

To regulate the price which the Cincinnati Gas Light and Coke Company may charge for gas furnished to the citizens and public buildings of the City of Cincinnati for and during the ensuing period of ten years.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That for the period of ten years from and after the passage and acceptance of this ordinance by the Cincinnati Gas Light and Coke Company, said company may charge for gas of not less than sixteen-candle power furnished to the public buildings and to the citizens or private consumers of the city of Cincinnati for illuminating purposes seventy-five cents per thousand cubic feet if paid within the five calendar discount days heretofore allowed ; if not so paid, then eighty-five cents per thousand cubic feet.

For all gas supplied and used exclusively for heating or fuel purposes, through a separate service and meter, fifty cents per one thousand cubic feet if paid within specified discount days ; if not so paid, then sixty cents per one thousand cubic feet.

And the Cincinnati Gas Light and Coke Company shall in no event during said term of ten years charge more for gas furnished to said public buildings or individuals than the price herein specified.

And the ordinance passed July 15, 1892, entitled "An ordinance to regulate the price which the Cincinnati Gas Light and Coke Company may charge for gas furnished to the citizens and public buildings of the city of Cincinnati," is hereby amended and modified so as to fix the price for gas so furnished at the price herein specified during the remaining years, or the unexpired portion of said term of years, in said ordinance of July 15, 1892, which remaining years are to be considered as and to be part of the term stipulated in this ordinance ; provided, however, that nothing herein shall interfere with the right of the city, under its contract with said

company and under the law, to purchase said company's property, interests, and works.

SEC. 2. This ordinance shall take effect from and after the earliest period allowed by law, and upon its acceptance by the said the Cincinnati Gas Light and Coke Company.

[Accepted August 21, 1899.]

NO. 489. Passed March 24, 1893.

To authorize the Cincinnati Gas Light and Coke Company to erect and maintain gas-conduit connections over and across Front and Rose streets.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Cincinnati Gas Light and Coke Company be and it is hereby authorized and empowered to erect and maintain gas conduits at two points over and across Front Street, between Rose and Park streets, and one over and across Rose Street, north of Front Street. The structure supporting said conduits to be placed at a height of not less than twenty feet above the street over which they shall pass, and to be built so as to leave the roadway between curb-lines entirely free and unobstructed, and to be of such form and strength as to meet the approval of the chief engineer of the Board of Administration.

NO. 4265. Passed September 13, 1889.

To authorize the Queen City Natural Gas and Fuel Company, its successors and assigns, to lay pipes in the streets, avenues, alleys, lanes, commons, and public places for certain purposes, and under the terms and conditions herein stated.

[Void under Section 6 thereof, viz.: "VI. Should such company, its successors or assigns, neglect or fail to prosecute with reasonable diligence the work of bringing natural gas or of supplying manufactured fuel gas to Cincinnati for the foregoing purpose, and are not at the end of one year after the passage of this ordinance supplying at least twenty million cubic feet of natural gas, or if natural gas can not be so furnished then artificial fuel gas, in said quantity within said time after the grant for artificial fuel gas can be made use of hereunder daily to the citizens of Cincinnati, the franchise and privilege herein shall be forfeited, and this ordinance shall become null and void.]

NO. 1077. Passed July 20, 1896.

To regulate the handling of gasoline.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful for any person or persons to have stored in their house gasoline known as 87 gravity deodorized gasoline, or any gasoline that is of a higher gravity than 74 deodorized gasoline; and it shall be unlawful for any person or persons to have gasoline known as 87 gravity gasoline in their possession that is not kept in some kind of a vessel that will keep the gasoline from escaping.

SEC. 2. It shall be unlawful for any person or persons to have in their possession gasoline known as 87 gravity deodorized gasoline, as it is dangerous to life and property, unless the vessel holding the gasoline of 87 gravity shall be placed under ground not less than twenty-five feet from any building; and the gasoline of 87 gravity must be inclosed in some kind of span inclosure, such as a vault, shed, or small house, built in such manner as to protect the gasoline from fire. Any person or persons found guilty of violating this ordinance shall upon conviction in the Police Court be fined not less than twenty-five dollars nor more than seventy-five dollars.

NO. 106. Passed December 13, 1897.

To regulate the sale of gasoline and headlight oil in the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful for any person or persons to sell or deliver in the city of Cincinnati gasoline or headlight oil unless the package containing said gasoline or headlight oil be so labeled or marked as to designate its contents. Each package of gasoline shall bear on the outside thereof, in a conspicuous place, printed in red ink on white paper, the words, "This package contains gasoline"; and each package of headlight oil shall bear on the outside thereof, in a conspicuous place, printed in black ink on white paper, the words, "This

package contains headlight oil"; and the words "Gasoline" and "Headlight Oil" shall be printed from gothic types not less than one and a half inches in height; and the word "Gasoline" shall occupy not less than five inches in its length, and the words "Headlight Oil" shall occupy not less than nine inches in their length.

SEC. 2. Any person offending against any of the provisions of this ordinance shall, on conviction thereof in the Police Court, be fined in a sum not exceeding twenty-five dollars for each and every offense.

GASOLINE-LIGHTING CONTRACT.

A contract for gasoline lighting for five years with Edward Dienst—at the rate of \$15.95 per lamp per year for lighting, \$2.50 each for setting iron posts, and \$2.50 each for setting wooden posts—expired March 19, 1901.

On March 11, 1901, the Board of Legislation adopted the following:

"Resolved, That the present contractor for lighting by gasoline be and he is hereby requested to continue lighting the suburban streets of this city, at a price not to exceed that of the present contract, until such time as a new contract can be entered into by the city of Cincinnati."

NO. 37. Passed June 21, 1897.

Granting to the Globe Soap Company permission to erect two steel electric poles for guy-ropes in Walnut Street, near Water Street.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That there is hereby granted to the Globe Soap Company permission to erect two 28-foot steel electric poles for guy-ropes to sustain extension of the smoke-stack of the plant of said company, to be located as follows: One on the west side of Walnut Street south of Water Street, and one on the east side of Walnut Street near the northeast corner of Walnut and Water streets, in the city of Cincinnati.

SEC. 2. The said Globe Soap Company shall pay for all repairs in the streets for the locating of said poles, or that may be hereafter necessary to retain said poles in said locations.

SEC. 3. Said company shall execute a bond to the city of Cincinnati for the sum of five hundred dollars to save the city harmless from any and all claims for damages that may accrue or be lawfully established by reason of the placing of said poles in said street, and for the faithful compliance with all and singular the provisions of this ordinance.

No. 1076. Passed July 20, 1896.

Regulating the use of gutter-plates, etc.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the owner or owners of any premises within the limits of the city of Cincinnati, in front of which are located crossings, gutter-plates, or runways over the gutters, shall be required to keep the said gutters clear and open for drainage under the said gutter-plates, and to that end shall be required to clean the same at least once every two weeks, and to remove from the same any refuse or obstruction of any kind which may be found therein.

SEC. 2. Any person or persons violating the provisions of this ordinance shall be deemed guilty of a misdemeanor, and shall be fined in the Police Court not more than ten dollars for each offense.

No. 571. Passed November 19, 1900.

Requiring removal of existing gutter-plates, bridges, and covers, and prohibiting laying of new ones.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the owner or owners of any premises abutting on any improved street in the city of Cincinnati, in front of which are located gutter-crossings, either bridges or plates, or covers of any other kind, shall be required to remove the same, and restore the street gutter from any injury by reason

of the existence of the gutter-covers within a period of sixty days from the date of the passage of this ordinance ; and be it further ordained that it shall be unlawful to construct any new covers or crossings over the gutters of improved streets in the city of Cincinnati, and such construction is hereby prohibited.

SEC. 2. Any person or persons failing to remove existing gutter-covers or bridges in front of premises owned or controlled by them, or who shall construct or cause to be constructed a gutter-cover or bridge across the gutter of any improved street in the city of Cincinnati, shall be deemed guilty of a misdemeanor, and shall be fined in the Police Court not more than twenty dollars nor less than ten dollars for each offense ; and in the case of existing gutter-covers or bridges each sixty days or fraction thereof succeeding the expiration of the sixty days after the passage of this ordinance will be deemed a separate offense.

SEC. 3. All ordinances or parts of ordinances heretofore passed conflicting herewith be and the same are hereby repealed.

NO. 406. Passed December 26, 1899.

To regulate the weighing of loose hay.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That every weigher of loose hay in this city shall in weighing loose hay, and in ascertaining the quantity and net weight of each parcel or load thereof and in giving a certificate, proceed in the following manner : Each load so weighed in gross shall have pasted upon the wagon a certificate, known as Certificate No. 1, setting forth the gross weight of said load, written in ink, and signed by the weigher in ink, which certificate shall be in the following form :

CINCINNATI,.....

CERTIFICATE OF GROSS WEIGHT.

Load of.....Gross.....

[Signed].....*Weigher.*

At the time said load is weighed in gross and said certificate attached there shall be delivered to the driver of the wagon a certificate, known as Certificate No. 2, which shall be in the following form, and upon which the gross weight, written in ink, shall be set forth :

CINCINNATI,.....

CERTIFICATE OF WEIGHT.

| | |
|--------------|------------|
| Load of..... | Gross..... |
| | Tare..... |
| | Net..... |

See that this certificate corresponds with the ticket pasted on the wagon. Order the empty wagon to be weighed.

[Signed].....*Weigher.*

After the load shall have been delivered the weigher shall weigh the empty wagon, and a certificate, known as Certificate No. 3, shall be pasted upon the wagon, setting forth the tare weight, written in ink, which certificate shall be in the following form :

CINCINNATI,.....

CERTIFICATE OF TARE WEIGHT.

| | |
|--------------|-----------|
| Load of..... | Tare..... |
|--------------|-----------|

[Signed].....*Weigher.*

At the time Certificate No. 3 is pasted upon the wagon the weigher shall fill in upon Certificate No. 2 the tare weight and net weight, written in ink, which said Certificate No. 2, when so filled out in correspondence with certificates No. 1 and No. 3, shall be taken by all purchasers and sellers as giving the true net weight of the load of hay so weighed. .

SEC. 2. Every person offending against any of the provisions of this ordinance shall upon conviction thereof be fined in any sum not less than five dollars and no more than twenty-five dollars, with costs of prosecution.

No. 103. Passed January 16, 1891.

Prohibiting public exhibitions or illustrations of hypnotism or mesmerism.

Be it ordained by the Common Council of Cincinnati:

That it shall be unlawful for any person or persons to give a public exhibition or illustration of the effects of hypnotism or mesmerism upon any human subject, and any person or persons giving such public exhibition or performance illustrating the effects of hypnotism shall be deemed guilty of a misdemeanor, and shall be subject to a fine in a sum not to exceed five hundred dollars, or imprisonment not to exceed thirty days, or both fine and imprisonment, upon conviction thereof in the Police Court; and the beginning of such exhibition or illustration of the effects of hypnotism herein provided against shall subject the person or persons so beginning the exhibition or illustration of hypnotism or mesmerism to the penalty herein provided.

No. 4274. Passed October 11, 1889.

Prohibiting the deposit in the streets, alleys, or public places of ice that has been used on dead bodies.

Be it ordained by the Common Council of Cincinnati:

That it shall be unlawful to deposit upon any of the streets, alleys, or other public ways or places of the city any ice that has been used upon dead bodies; and any person found guilty of so doing shall, upon conviction thereof, be fined in any sum not exceeding twenty-five dollars for each and every offense.

No. 61. Passed July 31, 1891.

To regulate the management of the City Infirmary, city burying-ground, and the granting of outdoor relief to the poor.

Whereas, In accordance with the act of the General Assembly passed March 26, 1891, entitled "An act supplementary to and amendatory of Title 12 of the Revised Statutes of Ohio," the Board of Administration heretofore appointed in conformity with said act shall have all the powers and perform all the

duties heretofore conferred upon and required of the board of infirmity directors in cities of the first grade and first class: Therefore be it ordained by the Board of Legislation (a majority of the members elected thereto concurring):

SEC. 1. That the said Board of Administration shall have the charge of the City Infirmary, city burying-ground, and the granting of outdoor relief to the poor, with power to do all acts which may be necessary for the prudent and efficient management of the same.

SEC. 2. That the Board of Administration be and is hereby authorized and instructed to inter in the city burying-ground the body of every indigent person who may die in either of the institutions of the city sustained by private contributions or public charity; provided that whenever the friends of the deceased furnish a private burial-place they may do so, in which event they shall only provide coffin and hearse.

SEC. 3. All appointments of officers and employees necessary for the prudent and efficient management of said City Infirmary, city burying-ground, and the granting of outdoor relief to the poor shall be made by a majority of the said Board of Administration; and said officers and employees shall be governed in all respects by the rules, regulations, and directions of said board, and shall hold their offices during the pleasure of said board; provided, however, that all nurses and employees of the infirmary shall be recommended for appointment by the superintendent thereof.

SEC. 4. Neither the members of said board nor the officers or employees appointed by them shall be interested, directly or indirectly, in the profits of any concern, contract, or job for work or services to be performed, or for any materials to be furnished for any of the aforesaid departments, nor shall they be entitled to any perquisites or extra compensation besides their salaries, fixed by law or by the board, for any duties performed or work done in their official capacity.

SEC. 5. All male officers appointed by them shall take an oath of office before they enter upon their duties.

SEC. 6. The board shall provide against imposition from paupers not properly entitled to public relief and from paupers not properly belonging to this city; they shall not admit them into the City Infirmary except in very extreme cases, but take necessary measures to prevent their settlement, and if necessary provide for their removal to their legal homes.

SEC. 7. The board shall annually, on or before the first day of February, and at such other times as the Board of Legislation may ordain, submit to the mayor and the Board of Legislation a full, accurate, and detailed report of the condition of their finances, in so far as the management of said City Infirmary, city burying-ground, and the granting of outdoor relief to the poor are concerned, showing the receipts, disbursements, and number of applications granted.

SEC. 8. All moneys levied or in any way received for the purpose of the City Infirmary, city burying-ground, or the granting of relief to the outdoor poor, as also all moneys received for articles sold from the different institutions, shall be paid into the city treasury, and shall be placed to the credit of the City Infirmary; and all such moneys shall be exclusively appropriated for the purpose aforesaid, and shall not be paid out except on an order signed by at least two members of said board, and countersigned by their clerk.

SEC. 9. For the purpose of carrying into practical operation the several provisions of this ordinance, the said board shall prepare such rules and regulations for the management of the City Infirmary, city burying-ground, and the granting of outdoor relief to the poor as they may deem expedient; also defining the duties of their officers, and the transaction of business at the city office of said infirmary. Said rules and regulations shall be posted conspicuously about the halls and corridors of the said City Infirmary and the city office of said City Infirmary.

SEC. 10. Any patient discharged from the Commercial Hospital, and by the board of trustees of said hospital or by two members thereof certified to be entitled to admission to

the infirmary, shall be admitted on such certificate without further examination or certificate by said board.

SEC. 11. That "An ordinance to regulate the management of the City Infirmary, city burying-ground, and the granting of outdoor relief to the poor," passed April 15, 1864; an ordinance "Providing for the burial of indigent persons," passed September 1, 1852; an ordinance "To provide for the appointment of overseers of the poor, and to fix their compensation," passed March 20, 1875; an ordinance "Authorizing the Board of Directors of the City Infirmary to inter indigent persons in the city burying-ground," passed December 6, 1867; also all by-laws and rules and regulations in force before the passage of this ordinance, are hereby repealed, and this ordinance shall be in full force and take effect on and after the earliest period allowed by law.

SEC. 12. Provided, however, that the present members of Board of Infirmary Directors shall until the expiration of their respective terms of office serve, without change of compensation, in conjunction with the Board of Administration, and not otherwise, in the management of the affairs of such infirmaries, having powers and votes equal in all respects to the powers and votes of the members of the last aforesaid board in all matters pertaining thereto, and none other.

NO. 492. Passed March 31, 1893.

To accept the bequest of Joanna Peters of a thousand-dollar United States four-percent bond for the use of an asylum for inebriates when established.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That whereas Joanna Peters, under the fourth section of her last will and testament, has bequeathed to the city of Cincinnati "a bond of the United States of America of one thousand dollars, bearing interest at four per cent per annum, to be held in trust, with all its interest and income, and to be with its said interest invested and reinvested at interest from time to time as may become necessary or advisable until

such time as there shall be founded and established in the city of Cincinnati or its vicinity an asylum for inebriates, by whatever name such asylum may be called; and when such asylum shall be founded and established in said city or its vicinity, then to pay over and apply to the support of such asylum the proceeds of said thousand-dollar United States four-percent bond, and all its increase from interest or otherwise which may have been accumulated by investing and reinvesting the money resulting from said bond, as in said clause directed."

Now, then, the city of Cincinnati hereby accepts said bequest upon the conditions stated, and designates the Sinking Fund Trustees as the custodian thereof, for the uses and purposes above set forth.

No. 253. Passed December 27, 1898.

To further provide for the regulation of proceedings to authorize public improvements in the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That to further provide for the regulation of proceedings to authorize public improvements in the city of Cincinnati, it shall be the duty of the corporation counsel thereof to provide the Board of Administration or its successors a certificate which shall accompany each resolution to contract for improvement by paving or sewerage of street, avenue, or other public way where the expense of the improvement involved in said contract and the damages due on account thereof are to be assessed upon property. Said certificate shall state that all requirements of statutes of the state of Ohio and ordinances of the city of Cincinnati have been complied with in all necessary preliminary proceedings in said Board of Administration or its successor and said Board of Legislation preceding said resolution to contract.

SEC. 2. That no such resolution to contract submitted to the Board of Legislation shall be considered by said board unless it shall be accompanied by such certificate of the corporation counsel, as provided in Section 1 hereof.

No. 454. Passed April 30, 1900.

To repeal Section 18 of an ordinance entitled "An ordinance to create a Board of Improvements, and prescribe its duties and the duties of officers under its control," passed June 28, 1869.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That Section 18 of an ordinance, No. 142, entitled "An ordinance to create a Board of Improvements, and prescribe its duties and the duties of officers under its control," passed June 28, 1869 (Coppock and Hertenstein's Ordinances, page 397), be and the same is hereby repealed.

No. 997. Passed December 22, 1902.

To determine the number of Directors of Public Safety in the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That in pursuance of the authority conferred and the duty imposed upon this board by an act entitled "An act to provide for the organization of cities and incorporated villages, and to restrict their powers of taxation, assessment, borrowing money, contracting debts, and loaning their credit, so as to prevent the abuse of such powers, as required by the constitution of Ohio, and to repeal all sections of the Revised Statutes inconsistent herewith," passed by the General Assembly of Ohio in extraordinary session on the 22d day of October, 1902, it is hereby determined that there shall be four directors of Public Safety in the city of Cincinnati, and the number of said directors is hereby fixed and established as four.

No. 998. Passed December 22, 1902.

To determine the number of Directors of Public Service in the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That in pursuance of the authority conferred and the duty imposed upon this board by an act entitled "An act to provide for the organization of cities and incorporated villages, and to restrict their powers of taxation, assessment,

borrowing money, contracting debts, and loaning their credit, so as to prevent the abuse of such powers, as required by the constitution of Ohio, and to repeal all sections of the Revised Statutes inconsistent herewith," passed by the General Assembly of Ohio in extraordinary session on the 22d day of October, 1902, it is hereby determined that there shall be five directors of Public Service in the city of Cincinnati, and the number of said directors is hereby fixed and established as five.

NO. 999. Passed December 22, 1902.

To fix the salaries and bonds of all officers to be elected on the first Monday in April, 1903, as well as the salaries and bonds of the Directors of Public Safety to be first appointed in the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That in pursuance of the authority conferred and the duty imposed upon this board by an act entitled "An act to provide for the organization of cities and incorporated villages, and to restrict their powers of taxation, assessment, borrowing money, contracting debts, and loaning their credit, so as to prevent the abuse of such powers, as required by the constitution of Ohio, and to repeal all sections of the Revised Statutes inconsistent herewith," passed by the General Assembly of Ohio in extraordinary session on the 22d day of October, 1902, the salaries and bonds of all officers of the city of Cincinnati to be elected on the first Monday in April, 1903, and the salaries and bonds of the directors of Public Safety to be first appointed in said city under the act above referred to, shall be as follows:

MAYOR—The salary of the mayor shall be six thousand dollars per annum, and he shall give bond in the sum of twenty-five thousand dollars.

PRESIDENT OF COUNCIL—The salary of the president of Council shall be twenty-five hundred dollars per annum, and he shall give bond in the sum of ten thousand dollars.

COUNCILMEN—The salary of each member of Council shall be eleven hundred and fifty dollars per annum, and he shall give bond in the sum of two thousand dollars.

SOLICITOR—The salary of the solicitor shall be five thousand dollars per annum, and he shall give bond in the sum of ten thousand dollars.

AUDITOR—The salary of the auditor shall be five thousand dollars per annum, and he shall give bond in the sum of fifty thousand dollars.

TREASURER—The salary of the treasurer shall be thirty-five hundred dollars per annum, and he shall give bond in the sum of two hundred and fifty thousand dollars.

DIRECTORS OF PUBLIC SERVICE—The salary of each director of Public Service shall be four thousand dollars per annum, and he shall give bond in the sum of twenty-five thousand dollars.

DIRECTORS OF PUBLIC SAFETY—The salary of each director of Public Safety shall be twenty-five hundred dollars per annum, and he shall give bond in the sum of ten thousand dollars.

NO. 102. Passed January 16, 1891.

To facilitate the collection of license fees.

Be it ordained by the City Council of Cincinnati:

SEC. 1. That the owners of all vehicles used upon the streets of the city, except cabs, hacks, sulkies, buggies, and carriages, shall be required to exhibit in a conspicuous place, upon each side of each vehicle for which annual license fees are required by law to be paid, a tin-tag sign, to be furnished by the city comptroller, indicating the year for which such license has been taken out.

SEC. 2. The city comptroller is hereby required to furnish with every license issued for every such vehicle used upon the

streets of the city two tin tags, having printed or painted thereon the year for which said license has been taken out.

SEC. 3. It shall be the duty of the comptroller within six months preceding any year to advertise for sealed proposals to furnish such quantity of tin-tag signs as may be estimated by him will be required during the succeeding year; to contract for their delivery with the lowest and best bidder, and pay for the same from the office fund of the comptroller.

SEC. 4. The owner of any vehicle violating the provisions of this ordinance shall be fined not less than twenty-five dollars nor more than fifty dollars for each day upon which such vehicle shall be used upon the streets of the city without exhibiting such tin tags.

[Inoperative under statutes.]

NO. 163. Passed January 22, 1892.

Imposing a license of twenty-five dollars per annum upon itinerant photographers.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That any person or persons engaged in the business of taking photographs or pictures, not being the owner of a regular photograph gallery located within the city of Cincinnati and regularly carrying on business in such gallery, shall be required to pay a license fee of twenty-five dollars, the said license to be good for the term of one year from its issue, and to be issued by the mayor of the city.

SEC. 2. Any person or persons carrying on said business of taking photographs or pictures for profit without the license provided in the preceding section, other than such persons as own and operate a regular photograph gallery within the said city of Cincinnati, shall be deemed guilty of a misdemeanor, and upon conviction thereof in the Police Court of the city shall be fined in any sum not exceeding fifty dollars.

NO. 246. Passed November 14, 1898.

To license transient dealers and persons who temporarily open stores or places for the sale of goods, wares, or merchandise.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful for any person or persons to open stores or places for the temporary sale of goods, wares, or merchandise in the city of Cincinnati without having first obtained a license therefor in the manner described herein; provided that this ordinance shall not apply to persons selling by sample only, nor to any agricultural articles or products offered or exposed for sale by the producer.

SEC. 2. Before any transient dealer or person who opens a store or place for the temporary sale of goods, wares, or merchandise in the city of Cincinnati shall engage in such business, he shall apply to the auditor of such city for a license to engage in such transient business, or the temporary sale of goods, wares, or merchandise, stating in his application the particular kind of temporary business in which he proposes to engage. The auditor shall issue to the applicant for such license a certificate, stating the particular kind of license for which application has been made. Said certificate shall be delivered to the city treasurer, who shall, upon receipt of the sum of three hundred dollars, give a certificate of payment to said applicant. Upon the presentation of said certificate to the auditor of said city he shall issue a license to said applicant to engage in such business, which license shall be good for the term of one year from the date of its issue.

SEC. 3. The auditor shall have the authority to revoke such license at any time.

SEC. 4. Any person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one hundred dollars nor less than fifty dollars; and each day that such store or business is conducted without such license shall be held to constitute a separate offense.

SEC. 5. Ordinance No. 1155, passed January 18, 1897, entitled "An ordinance to license transient dealers and persons who temporarily open stores or places for the sale of goods, wares, or merchandise," and all other ordinances or parts of ordinances in conflict herewith, are hereby repealed.

NO. 75. Passed October 11, 1897.

Providing for the licensing of all keepers of stables or places where horses or mules are temporarily kept.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful for any person, firm, or corporation to engage in the business of keeping or maintaining any stable or place for the temporary care of horses or mules until he, she, or they shall have first obtained a license as hereinafter provided.

SEC. 2. All persons, firms, or corporations who provide for the temporary care of horses, mules, or teams composed of one or more animals, or engage in the business of such temporary care of such teams for profit, shall pay an annual license of fifteen dollars for each such place.

SEC. 3. Said license shall become due and payable in January or July of each year, and shall be issued for one year from either of those dates.

SEC. 4. Any person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum of not more than fifty dollars.

NO. 214. Passed August 1, 1898.

To license and regulate the business of railroad and steamship ticket brokers or scalpers in the City of Cincinnati.

[In Court of Common Pleas, Davis, J., September 26, 1898, in the case of Frank v. City, No. 114,578, this ordinance was declared illegal and void.]

NO. 944. Passed October 13, 1902.

Licensing the traffic in tickets of admission to theaters, opera-houses, music-halls, or other places of entertainment, amusement, or instruction.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. Any person or persons, whether as principals or agents, carrying on or engaged in the business of trafficking for profit in tickets of admission to any theater, opera-house, music-hall, or other place of entertainment, amusement, or instruction, to which tickets of admission are offered for sale to the general public, shall be required to pay a license fee of five thousand dollars, the said license to be good for the term of one year from its issue and to be issued by the mayor of the city.

SEC. 2. Any person or persons, whether as principals or agents, carrying on or engaged in said business of trafficking for profit in such tickets of admission without the license provided in the preceding section, shall be deemed guilty of a misdemeanor, and upon conviction thereof in the Police Court of said city shall be fined in any sum, not exceeding fifty dollars for each offense.

SEC. 3. The provisions of this ordinance shall not apply to any sale or transfer of such tickets of admission when no greater price is asked or received therefor than that for which such tickets were sold or offered for sale by the persons or corporation issuing such tickets.

NO. 241. Passed November 30, 1903.

To provide a license for carrying on the business of pawnbroker within the city limits, and to provide for the fee to be paid for such license.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. No person, persons, firm, or corporation shall engage in the business of pawnbrokerage until he, they, or it shall have obtained a license therefor in accordance with the statutes on the subject and as hereinafter provided.

SEC. 2. Each person, persons, firm, or corporation shall pay to the auditor of the city of Cincinnati a license fee of two hundred dollars per annum previous to his, their, or its obtaining a license to carry on such business within the city limits, as hereinafter provided.

SEC. 3. The mayor shall grant to any person, persons, firm, or corporation a license to engage in the business of pawn-brokerage for one year from and after the date of such license upon payment to the city auditor of the license fee hereinbefore provided for.

SEC. 4. No license granted or issued under any of the provisions of this ordinance or of the laws of Ohio relating thereto shall be in any manner assignable or transferable without permission from the city auditor indorsed thereon. Every such license shall specify by name the person, persons, firm, or corporation to whom or which it shall be issued, and shall designate the particular place at which the business shall be carried on.

SEC. 5. Any violation of the provisions of this ordinance or of the statutes relating thereto shall be punishable according to the statutes of the state of Ohio thereon.

NO. 987. Passed September 13, 1895.

To designate that all individual persons, wagons, carriages, or vehicles of any kind carrying the mails of the United States of North America have the right of way in preference to all other carriages, wagons, street cars, railroad cars, or vehicles of any kind, parades, processions, and individual persons in all streets, alleys, lanes, squares, and other public ways and grounds of the City of Cincinnati, Ohio.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That all individual persons, wagons, carriages, or vehicles of any kind carrying the mails of the United States of North America in the city of Cincinnati shall have the right of way in all streets, alleys, lanes, squares, and other public ways and grounds of the city of Cincinnati, in preference to all other wagons, carriages, street cars, railroad cars, or vehicles of any kind, except the wagons, carriages, and vehicles

of the fire and police departments of said city and the salvage corps maintained in said city, and in preference to all parades, processions, and individual persons; and it shall be the duty of all wagons, carriages, street cars, railroad cars, or vehicles of any kind, parades, processions, and individual persons to clear and leave free the street for the passage of the said individual persons, wagons, carriages, or vehicles of any kind carrying the mails of the United States of North America.

SEC. 2. Any person violating this ordinance shall be subject to a fine not exceeding one hundred dollars nor less than five dollars and the costs of the prosecution.

MARKETS.

Amendments to ordinances found in Coppock and Hartenstein, pp. 316-330, and additional ordinances of Board of Legislation of years 1887-1901.

(See Ordinance No. 170, passed September 14, 1903.)

SEC. 1. *As finally amended.*

The buildings and spaces to be used for public markets in the city of Cincinnati shall hereafter be as follows, viz.:

Fifth Street from the west side of Main Street to the east side of Vine Street, to be designated as Fifth-street Market-space.

Pearl Street from Main Street to Sycamore Street (on both sides), Pearl Street from Sycamore Street to Broadway (on the north side only), and four hundred feet north and south of Pearl Street on Broadway, to be designated as Pearl-street Market-space.

Sixth Street from east side of Race Street to Mound Street, Mound Street from Sixth Street to Fifth Street, Fifth Street from Mound Street to Baymiller Street, Third Street (north side) between Elm and Plum streets, and McFarland Street (south side) between Elm and Plum streets, to be designated as Sixth-street Market-space.

Court Street from Main Street to Freeman Avenue, and Walnut Street from Ninth Street to Canal Street, to be designated as Court-street Market-space.

Elder Street from Vine Street to Elm Street, and Elm Street from Findlay Street to Green Street, and Race Street from Green Street to Findlay Street, to be designated as Findlay Market-space.

Wade Street from John Street to Cutter Street, and Cutter Street south to Clinton Street and north to Liberty Street, to be designated as Wade-street Market-space.

Bluerock Street (south side) from Apple Street to Colerain Avenue and Colerain Avenue to Hoffner Street, and Apple Street from Bluerock Street to Palm Avenue, to be designated as Bluerock-street Market-space.

Provided, that it shall be unlawful for any persons to occupy any stand in the market on Third and McFarland streets, between Elm and Plum streets, or in the streets at points immediately contiguous to Third and McFarland streets, between Plum and Elm streets, except actual and known farmers and gardeners who shall be the actual producers, each from his or her farm or garden, of the products exposed for sale.

Any person offending against this provision of this ordinance shall on conviction of such offense be subject to a fine not to exceed ten dollars and costs of prosecution, at the discretion of the court.

SEC. 3. *As finally amended by Ordinance of Board of Legislation, No. 249, passed Nov. 28, 1898, taking effect Feb. 5, 1899. Repealed by Ordinance No. 579, passed Nov. 26, 1900.*

SEC. 4. *As finally amended by Ordinance No. 39 of Board of Legislation, passed July 6, 1897.*

General markets for the sale of all articles usually sold in markets shall be held as follows: Sixth-street Market on Mondays, Wednesdays, and Fridays, from daylight in the morning to 11 A. M.; and Court-street Market on Tuesdays, Thursdays, and Saturdays, from daylight in the morning to 11 A. M.; and Pearl-street Market on Tuesdays, Thursdays, and Saturdays, from daylight in the morning to 11 A. M.; and Findlay Market on Mondays, Wednesdays, and Fridays, from

daylight in the morning to 11 A. M.; and Wade-street Market on Tuesdays, Thursdays, and Saturdays, from daylight in the morning to 11 A. M.; and Bluerock-street Market on Mondays, Wednesdays, and Fridays, from daylight in the morning to 11 A. M. The market-hours in each of said markets, from the first day of October to the first day of April, shall be from daylight in the morning to 11 o'clock A. M. And Saturday-evening markets shall be held in Sixth-street Market and in Pearl-street Market commencing at 12:30 P. M. and ending at 10 P. M., and in the Findlay and Bluerock-street markets at 12:30 P. M. and ending at 11 P. M. And the superintendent of markets shall cause each owner of wagons, stands, or stalls who occupy the streets in the markets to sell articles to place a sign upon his stand, with his name and residence or place of business, so that it may be seen and read from the sidewalk.

SEC. 5. *As amended by Board of Legislation November 26, 1900, Ordinance No. 579.*

SEC. 10. *As amended by Ordinance No. 688 of Board of Legislation, passed November 24, 1893.*

How Stands assigned to certain Dealers—Dealers in salted, cured or smoked meats, or fish puddings, sausages, cheese, butter, eggs, poultry, prepared fruits, pickles, preserves, flour, meal, nuts, potatoes, or any of them, shall have the right, on application to the superintendent of the markets, to have a place assigned to him or her of not more than six feet in length by three feet wide, measuring along the curbstone on the pavements, so as to afford said dealer in such articles or either of them a stand for a single bench, wagon, or other vehicle; provided there shall be a space left vacant on the sidewalk and street of ten feet in every fifty feet of street and sidewalk; and provided also that there shall be a space left vacant on the sidewalk and street of ten feet, for a run or passageway for egress and ingress for all premises used and occupied by any person or persons as a livery or sale stable, undertaking estab-

lishment, fire-engine house, police-patrol house, or salvage-corps house.

SEC. 21. *As amended by Ordinance No. 142 of Board of Legislation, passed January 31, 1898.*

No fresh meat shall be exposed, sold, or offered for sale in less quantity than one quarter on any of the sidewalks or in any of the streets set apart as market-spaces, except mutton or lamb, which may be exposed, sold, or offered for sale in any quantity to suit seller or buyer.

SEC. 34. *As amended by Ordinance No. 313 of Board of Legislation, passed July 22, 1892.*

Keepers of stalls, benches, or stands in the market-houses, or in the streets where markets are held, shall within one hour after the ringing of the bell for the closing of the markets cause their provisions and vehicles, if they have any, or any thing that was placed in the streets by them, to be removed from the market-space, together with all animal or vegetable or other refuse matter dropped on the streets by them, and each butcher shall cause his tables, meat-blocks, and other fixtures to be thoroughly scraped and cleaned, and all refuse matter to be removed from the market-space, or penalty will be enforced.

NO. 70. Passed November 7, 1890.

To designate a location for the erection of a flower-market in accordance with the will of Mary E. Holroyd, deceased.

Be it ordained by the City Council of Cincinnati :

SEC. 1. That Sixth-street Market-space, between Elm and Plum streets, is hereby designated as the location for the erection of a flower-market building, to be called the Jabez Elliott Flower-market, in accordance with the terms and conditions of the last will and testament of Mary E. Holroyd, deceased, the legacy therein bequeathed to the city of Cincinnati being hereby accepted, and the executors of said will having requested its location at said place.

SEC. 2. The right to erect and forever maintain a flower-market at said place is hereby granted to the executors under the said last will and testament of Mary E. Holroyd, deceased, in accordance with the terms and conditions therein set forth.

EXTRACT FROM THE WILL OF MARY E. HOLROYD.*

I love Cincinnati, the city of my adoption, and if practicable I would be glad to have in it from me some memorial to my deceased husband, Jabez Elliott; and as I have always had a tender fondness for flowers, and believe that floriculture tends to refine and elevate human nature, and as my attention has frequently been drawn to the unsheltered condition of the flowers and of those who have them for sale, exposed to all weathers in our open market-spaces, I would like to erect in Sixth-street Market-space, or some other place in Cincinnati which shall seem suitable to my executors, a building, to be called the Jabez Elliott Flower-market, which shall be ornamental to the city, and a protection to the flowers and shrubs which may be brought to this market and to those who may have them for sale.

I therefore give and bequeath to my executors, S. Phelps Cheseldine and Clifford B. Wright, and to the survivor of them, ten thousand dollars, in trust nevertheless for the following purposes only:

That as soon as may be after my decease they request the proper authorities of the city to furnish a suitable location in said Sixth-street Market-space or elsewhere in said city for the erection of said flower-market. If such location shall be furnished by the city within one year after my decease, then said trustees shall cause plans to be made for a suitable building, to cost when completed not less than ten thousand dollars, which plans shall be submitted to the proper authorities repre-

*On Friday, May 2, 1890, the City Council resolved "that the city authorities accept said munificent gift."

senting the city ; and if plans satisfactory to said trustees shall be approved by said city authorities, said trustees shall proceed at once to erect such building, according to such plans, on the location so furnished.

If ten thousand dollars should be found insufficient to complete said building as desired, then I give and bequeath to said trustees a sufficient sum in addition, not exceeding five thousand dollars, to complete the same.

If said city authorities should neglect or refuse for one year after my death to furnish a location for said flower-market which shall be acceptable to said trustees, or if said authorities and said trustees should be unable to agree upon a suitable plan for said building, then this bequest shall become and be absolutely null and void, and the fund given to said trustees as above shall revert to and become a part of the residue of my estate.

If said flower-market should be built as proposed, then I constitute said trustees custodians of said building until their successors shall be appointed, and I authorize them and their successors to make all needful rules and regulations for the care and use of said building ; subject always to such regulations as the city may impose.

Said trustees are authorized to appoint their own successors to have the care and custody of said building, but if at any time the trustees then acting should die or resign without appointing successors or a successor, then I wish the mayor of the city, with the approval of the Council, to appoint the same.

Said trustees and their successors may also collect such rent or license fees from persons who are permitted to use said building as a market-place for their flowers, etc., as may be required to maintain said building and keep the same in repair.

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NO. 170. Passed September 14, 1903, and approved over Mayor's
disapproval October 5, 1903.

**Designating the buildings and spaces to be used for public markets
within the City of Cincinnati and regulating the use of the same.**

SEC. 1. The following buildings and spaces shall hereafter be used for public markets in the city of Cincinnati, to-wit :

Fifth Street from the west side of Main Street to the east side of Vine Street, to be designated as Fifth-street Market-space.

Pearl Street from Main Street to Sycamore Street (on both sides), Pearl Street from Sycamore Street to Broadway (on the north side only), and four hundred feet north and south of Pearl Street on Broadway, to be designated as Pearl-street Market-space.

Sixth Street from east side of Race Street to Mound Street, Mound Street from Sixth Street to Fifth Street, Fifth Street from Mound Street to Baymiller, Third Street (north side) between Elm and Plum streets, and McFarland Street (south side) between Elm and Plum Streets, to be designated as Sixth-street Market-space.

Court Street from Main Street to Freeman Avenue, and Walnut Street from Ninth to Canal Street, to be designated as Court-street Market-space.

Elder Street from Vine Street to Elm Street, and Elm Street from Findlay Street to Green Street, and Race Street from Green Street to Findlay Street, to be designated as Findlay Market-space.

Wade Street from John Street to Cutter Street, and Cutter Street south to Clinton Street and north to Liberty Street, to be designated as Wade-street Market-space.

Bluerock Street (south side) from Apple Street to Colerain Avenue and Colerain Avenue to Hoffner Street, and Apple Street from Bluerock Street to Palm Avenue, to be designated as Bluerock-street Market-space.

SEC. 2. The days and hours upon which said markets shall be held shall be as follows: Sixth-street Market, Findlay

Market, and Bluerock-street Market on Mondays, Wednesdays, and Fridays, from daylight in the morning until 11 o'clock A. M.; Court-street Market, Pearl-street Market, and Wade-street Market on Tuesdays, Thursdays, and Saturdays, from daylight in the morning to 11 o'clock A. M.; Sixth-street Market and Pearl-street Market on Saturdays, from 12:30 P. M. to 10 P. M.; and Findlay Market on Saturdays, from 12:30 P. M. to 11 P. M.; except on New Year's, Decoration, Independence, Labor, Thanksgiving, and Christmas days, when all the markets shall close at 9 o'clock A. M.

SEC. 3. It shall be unlawful for any person or persons to occupy and stand in the market on Third and McFarland streets between Elm and Plum streets, or in the streets at points immediately contiguous thereto, or in Court Street between Cutter Street and Freeman Avenue, or in the streets at points immediately contiguous thereto; provided that this section shall not apply to actual and known farmers and gardeners who shall be the actual producers from his or her farm or garden of the products exposed for sale.

SEC. 4. It shall be unlawful for any person or persons to erect or place in position any stand to be used in said markets, or to place upon the sidewalks or streets within said markets any boxes, packages, or articles which are to be used or sold or exposed for sale in said markets, or place in position for market purposes any wagon or vehicle of any kind whatsoever, except within one hour preceding the time for opening said markets as provided herein, and said stands, boxes, packages and articles, wagons or vehicles shall be removed within one hour after the close of said markets; provided that the placing of wagons or vehicles as provided in this section shall not apply to actual and known farmers and gardeners, as designated in Section 3 hereof.

SEC. 5. Any person or persons violating any of the provisions of this ordinance shall on conviction thereof be subject to a fine not to exceed ten dollars and costs of prosecution, at the discretion of the court, for each offense.

SEC. 6. The superintendent of markets or any market-master, or any one designated by him or them, are hereby authorized to remove any stand, box, package, article, wagon, or vehicle which is placed in said market in violation of Section 3 of this ordinance.

SEC. 7. An ordinance, No. 73, passed by the Council of the city of Cincinnati on the 20th day of July, 1903, and all ordinances or parts of ordinances conflicting herewith, are hereby repealed.

NO. 286. Passed June 17, 1892.

To provide against outcry and hawking of goods in the markets.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful for any person at any market-stand within the city limits to solicit trade by outcry, or by hawking of any goods, wares, or merchandise; and any person so offending, upon conviction thereof, shall be fined in any sum not exceeding fifty dollars.

NO. 661. Passed October 27, 1893.

Prohibiting the ringing of bells, beating of drums, music, or other noises for advertising purposes in the market-spaces during market-hours.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful for any person or persons to ring bells, beat drums, play music, or make other noises for the purpose of advertising any ball, picnic, excursion, or any business or other thing in the market-spaces of the city, or the streets set aside for market-spaces, during the market-hours.

SEC. 2. Any person found guilty of violating this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof in the Police Court fined in any sum not exceeding ten dollars.

NO. 844. Passed October 19, 1894.

To sell the Sixth-street Market-house, and to authorize the building of a new market-house on the site thereof.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That whereas the Sixth-street Market-house has become unfit for further use, the Board of Administration is hereby authorized and directed to sell such building to the highest bidder, the same to be taken down and removed from the premises.

SEC. 2. That the Board of Administration is hereby authorized to have plans and specifications prepared, and make contracts and take all the necessary steps, to have a market-house built on the site of the present Sixth-street Market-house, in accordance with such plans and specifications, at a cost not to exceed sixty thousand dollars; and if any person interested in the construction of said market-house shall donate to the city any sum of money for such purpose, the Board of Administration may receive and expend the same in addition to the amount of sixty thousand dollars of the city's funds as aforesaid.

NO. 59. Passed August 16, 1897.

To authorize the sale of the Pearl-street (Lower) Market-house, and the erection of a new market-house on the site thereof.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That whereas the Pearl-street (Lower) Market-house has become unfit for further use, the Board of Administration is hereby authorized and directed to sell said building to the highest bidder therefor, the same to be taken down and removed from the premises.

SEC. 2. That the Board of Administration is hereby authorized to have plans and specifications prepared, and make contracts and have all necessary steps taken, to have a market-house built on the site of the present Pearl-street (Lower) Market-house, in accordance with such plans and specifications, at a cost not to exceed fifty-eight thousand dollars.

No. 153. Passed March 21, 1898.

Increasing the appropriation for the erection of a new market-house in Pearl-street (Lower) Market from fifty thousand dollars to fifty-eight thousand dollars, and amending Section 2 of Ordinance No. 59 of the Board of Legislation, passed August 16, A. D. 1897.

Whereas, By an act of the General Assembly of the state of Ohio the Board of Administration has been authorized to issue bonds, not exceeding sixty thousand dollars in amount, to raise money for the purpose of constructing, erecting, reconstructing, and re-erecting market-houses in the city of Cincinnati; and

Whereas, This board has by ordinance numbered 59, and passed August 16, A. D. 1897, directed that the present Pearl-street (Lower) Market-house be sold to the highest bidder, taken down and removed from the premises, and that a new market-house be built on the site thereof at a cost not to exceed fifty thousand dollars; and has by an ordinance numbered 124, and passed January 24, 1898, appropriated the further sum of two thousand dollars for the erection of a temporary market-house for use during the time of erection of the new house, thus leaving unappropriated the sum of eight thousand dollars originally contemplated in the act providing for the issue of bonds heretofore referred to in this preamble; and

Whereas, It has been demonstrated to the Board of Administration, by the numerous bids presented to them, that a suitable market-house, such as contemplated by that board and by the architects they were authorized to employ, can not be erected for fifty thousand dollars: Therefore be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Board of Administration of the city of Cincinnati be requested to issue the remaining eight thousand dollars of bonds under the act heretofore referred to; and is hereby authorized to expend, if necessary, eight thousand dollars in addition to the fifty thousand dollars heretofore appropriated for this purpose and to this end.

SEC. 2. That Section 2 of said ordinance of the Board of Legislation, passed August 16, A. D. 1897, and numbered 59, be and the same is hereby amended so as to read as follows :
“SEC. 2. That the Board of Administration is hereby authorized to have plans and specifications prepared, and make contracts and have all necessary steps taken, to have a market-house built on the site of the present Pearl-street (Lower) Market-house, in accordance with such plans and specifications, at a cost not to exceed fifty-eight thousand dollars.”

SEC. 3. Said original Section 2 of said Ordinance No. 59 is hereby repealed.

SEC. 4. That the city auditor is hereby directed to draw his warrants on the city treasurer, in amounts not to exceed fifty-eight thousand dollars, in payment for the construction of said permanent market-house in Pearl-street (Lower) Market.

NO. 124. Passed January 24, 1898.

To provide for the erection of a temporary market-house for the Pearl-street Market, and to appropriate two thousand dollars for that purpose.

Whereas, By an act of the General Assembly of the State of Ohio the Board of Administration of the city of Cincinnati has been authorized to issue bonds, not exceeding sixty thousand dollars in amount, to raise money for the purpose of constructing, erecting, reconstructing, and re-erecting market-houses in said city; and

Whereas, This Board of Legislation has by ordinance designated the Pearl-street Market-house as one to be re-erected under such authority at an expense not to exceed fifty thousand dollars; and

Whereas, There is thus left at the disposal of the boards having control of the money raised by such issue of bonds and of the disposition thereof for the purpose for which it is intended the sum of ten thousand dollars; and

Whereas, There will be a serious inconvenience to the public and those renting and occupying stalls in the Pearl-street

Market-house, which is about to be removed to make place for the new and permanent structure, unless there shall be temporary accommodations provided by the city: Therefore be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Board of Administration is hereby authorized and directed to cause to be erected on the space on Pearl Street, west of the present market-house, and between Sycamore Street and Main Street, a temporary frame market-house, in time for occupation by those occupying stalls in the present market-house and those who may acquire the right thereto, to be used by them for market purposes until such time as the new and permanent structure on Pearl Street, between Broadway and Sycamore Street, shall be fully ready for their occupancy and use, and the sum of two thousand dollars is hereby appropriated from the market-house fund for that purpose.

SEC. 2. To this end the Board of Administration shall have plans prepared by the architects already employed for the permanent structure, and shall receive bids thereon, and award the contract therefor to the lowest and best bidder.

NO. 4027. Passed January 4, 1888.

Providing for the sale of dressed domestic poultry.

Be it ordained by the Common Council of Cincinnati:

SEC. 1. That it shall be unlawful to expose for sale or to sell in the markets or elsewhere in the city of Cincinnati dressed domestic poultry, such as chickens, turkeys, ducks, geese, etc., unless the same shall first have been drawn, and the entrails, crop, and craw taken therefrom.

SEC. 2. Any person violating Section 1 of this ordinance shall, on conviction thereof in the Police Court, be fined in any sum not exceeding twenty dollars.

NO. 141. Passed February 7, 1898.

To change the width of roadway of North Pearl Street from the east curb of Sycamore Avenue to the west curb of Broadway.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the width of roadway of North Pearl Street, from the east curb of Sycamore Avenue to the west curb of Broadway, along the north side of the Pearl-street Market-house, be changed by narrowing the same 5.24 feet at Sycamore Avenue and 4.46 feet at Broadway, said change to be effected in connection with the rebuilding of the Pearl-street Market-house by moving the said south curb of said North Pearl Street north 5.24 feet at Sycamore Avenue and 4.46 feet north at Broadway, or to a line 52 feet north of and parallel to the present north curb of South Pearl Street, between the east curb of Sycamore Avenue and the west curb of Broadway.

SEC. 2. That all ordinances or parts of ordinances conflicting herewith be and the same are hereby repealed.

NO. 186. Passed May 31, 1898.

To repeal Ordinance No. 105, entitled "An ordinance to authorize the Northside Market Company to erect a building on the market-space on Bluerock Street, in the Twenty-fifth Ward of Cincinnati, and to grant to said the Northside Market Company certain privileges therein," passed September 18, 1891.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That Ordinance No. 105, entitled "An ordinance to authorize the Northside Market Company to erect a building on the market-space on Bluerock Street, in the Twenty-fifth Ward of Cincinnati, and to grant to said the Northside Market Company certain privileges therein," passed September 18, 1891, be and the same is hereby repealed.

NO. 184. Passed May 31, 1898.

To regulate the markets in providing for funerals.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That to provide for the convenience of families and others residing in houses fronting on streets in which estab-

lished markets are held, and to show proper respect toward the dead, it shall be the duty of those having authority in the care and conduct of the markets to require that a space of one hundred feet be provided and made clear along the sidewalk, curb, and street in front of and on each side of the front of any house in which funeral services may be held, or from which a funeral may take its departure during market-hours.

SEC. 2. The board having control and direction over the marketmaster and his assistants, or whatsoever persons shall be in authority in the markets, is hereby empowered and directed to require that such persons having such authority shall, upon receiving information from any undertaker or other responsible person that a funeral is to take place in any house fronting on any street used for market purposes during the hours of market for such street, see to and provide for the enforcement of this ordinance. To this end all persons having the right under ordinance, license, or regulation to have their stands or wagons in front of such house, or at points within fifty feet of the center line of the front of such house, on either side of such line, shall be notified and required to vacate such location, so that there may be a clear space of one hundred feet in front of and immediately contiguous to the front of such house during an entire hour, which hour shall not be considered to have elapsed until after the hearse and the procession of persons attending the burial of the dead shall have departed from such house.

SEC. 3. Any person having a stand in any market who shall refuse or fail to comply with the requirements of Section 2 hereof, after proper notice to so vacate the space occupied by his or her stand or wagon, shall, upon conviction thereof in the Police Court, be fined in any sum not less than ten dollars nor more than twenty dollars, at the discretion of the court, and be assessed the costs of prosecution.

No. 209. Passed July 25, 1898.

To prevent the playing of musical instruments transported on wheels in the market-places of the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful for any person to produce music from any instrument transported on wheels in the market-places of the city of Cincinnati during market-hours.

SEC. 2. Any person offending against the provision of Section 1 hereof shall be fined not less than five dollars nor more than twenty dollars upon conviction thereof.

SEC. 3. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

No. 267. Passed February 13, 1899.

To regulate the occupancy of the stalls and benches in the various market-houses of the city, to prevent abuses, etc., and to provide penalties for violation of same.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful for any person occupying a stall or bench in any of the market-houses of this city to use profane, abusive, or indecorous language, or utter loud cries, or crowd about or interfere with any other occupant in the transaction of his or her legitimate business, or to throw any missile, refuse meat, vegetables, or other article, or to make indecent remarks or comments, or apply the same to any customer, person, or persons who may be passing through such market-house.

SEC. 2. Any person offending against any of the provisions of this ordinance shall, on conviction thereof in the Police Court, be fined not more than ten dollars, together with the costs of prosecution.

No. 293. Passed April 10, 1899.

To provide for the sale and removal of the Wade-street Market-house.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That whereas the Wade-street Market-house has become unfit for further use, the Board of City Affairs is hereby authorized and directed to sell such building to the highest bidder, the same to be taken down and removed from the premises.

No. 295. Passed April 17, 1899.

To prevent the sale of fresh meats and fish on the sidewalks and streets set apart as market-spaces in the City of Cincinnati, and providing penalties for violation, etc.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful for any person to sell, offer to sell, or expose for sale any fresh meats or fish in any quantity, either at wholesale or retail, on any sidewalk or in any of the streets set apart as market-spaces in the city of Cincinnati.

SEC. 2. Any person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than ten dollars, together with costs of prosecution.

SEC. 3. All ordinances or parts of ordinances conflicting with any of the provisions of this ordinance are hereby repealed.

No. 540. Passed September 17, 1900.

To further regulate the holding of markets in Sixth Street.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That in Sixth Street the public markets provided for by ordinance, exclusive of those in the market-houses thereof, shall be held along and upon the north side of said street during the months of November, December, January,

February, March, and April of each year; and along and upon the south side of said street during the months of May, June, July, August, September, and October of each year; and no person (having a right to occupy with his or her stand any portion of the market-space of Sixth Street) shall be permitted to occupy any portion of the north side of said street or any portion of the south side of said street except in the months designated for those sides, respectively, unless he or she shall secure permission so to do from the occupant of the store in the property fronting upon the portion of the street thus to be occupied in deviation from the general terms of this ordinance.

SEC. 2. Any person violating the terms of Section 1 hereof shall be subject to a fine of not exceeding ten dollars and the costs of prosecution.

SEC. 3. That ordinance No. 365, passed September 11, 1899, entitled "An ordinance to further regulate the holding of markets in Sixth Street," be and the same is hereby repealed.

No. 552. Passed October 15, 1900.

To prohibit the sale of live poultry in a portion of Sixth-street Market.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful to have for sale or expose for sale or to sell, within that portion of what is known and designated as the Sixth-street Market, on Sixth Street from the east side of Race Street to Central Avenue, live domestic poultry, such as chickens, turkeys, ducks, geese, etc.

SEC. 2. That any person violating Section 1 of this ordinance shall on conviction thereof in the Police Court be fined in any sum not exceeding twenty-five dollars.

NO. 579. Passed November 26, 1900.

To fix the rent of stalls and benches in the various market-houses of the City of Cincinnati, and providing for the collection of the same.*

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the city auditor of the city of Cincinnati is hereby empowered to rent or lease for the period of one year all stalls and benches that are now or that may hereafter become vacant in the respective market-houses, and said auditor may permit stalls or benches to be used for the sale of fresh and smoked fish, oysters, and fresh, salted, smoked or cured meats, sausages, cheese, butter, flower, crackers, meals, nuts, fruits, and vegetables of any kind, and for no other purposes.

SEC. 2. That the rents of stalls in the market-houses of the city of Cincinnati shall be as follows:

| | | |
|---------------------------------|----------|-----------|
| Sixth-street Market-house | \$100 00 | per year. |
| Pearl-street Market-house..... | 100 00 | " " |
| Court-street Market-house | 75 00 | " " |
| Findlay Market..... | 36 00 | " " |
| Wade-street Market..... | 25 00 | " " |
| Bluerock-street Market | 25 00 | " " |

And the rents of outside benches and stalls in the market-houses of the city of Cincinnati shall be as follows:

| | | |
|--|---------|-----------|
| Sixth-street Market..... | \$20 00 | per year. |
| Pearl-street Market..... | 20 00 | " " |
| Court-street Market..... | 25 00 | " " |
| Findlay Market..... | 15 00 | " " |
| Wade-street and Bluerock-street markets. | 5 00 | " " |

SEC. 3. That all said rents shall be payable quarterly in advance at the office of the city auditor on the 5th day of May, August, November, and February; or in case the lease of any of said stalls or benches shall be forfeited, as hereinafter provided, or become vacant for any reason, then the rent from

* Rents in market-spaces outside market-houses proper are fixed by statute.

the succeeding occupant or lessee shall be payable in advance until the time of the first regular quarterly payment thereafter, and shall thenceforth be payable quarterly in advance on the days and dates above mentioned.

SEC. 4. That for the payment of said rents within ten days after the same become payable a discount of five per cent shall be made by the city auditor, and for any delinquency in said payment after the expiration of said ten days a penalty of five per cent upon the rent of any stall or bench shall be added by the auditor and collected from the delinquent lessee; provided further, that if the rent of any stall or bench is not paid within thirty days after the expiration of the ten days following the date upon which said rent is due and payable, the lease of said stall or bench shall be declared forfeited by the city auditor, and said auditor shall proceed to rent said stall or bench as other vacant stalls or benches are rented.

SEC. 5. That the lessee of any stall or bench, at the expiration of his term of lease, shall have the preference, provided all dues from him to the city on account of said stall or bench have been paid, to lease the same for another year, at the rent fixed by this ordinance or any ordinance or resolution hereafter passed; but no person shall hold more than one stall or bench at the same time in any of the markets.

SEC. 6. That the owners or occupants of benches, stalls, stands, or wagons in the various market-houses of the city of Cincinnati shall provide the same with a suitable vessel, tub, or barrel to hold all the refuse matter which accumulates at the said benches, stalls, stands, or wagons, and shall remove the same after the markets close.

SEC. 7. Markets may be held daily, Sundays excepted, in all the market-houses of the city of Cincinnati by persons renting stalls therein.

SEC. 8. That Section 3 of an ordinance, as finally amended by ordinance of the Board of Legislation, No. 249, passed November 28, 1898, taking effect February 5, 1899, and an

ordinance, No. 255, passed January 3, 1899, together with all other ordinances in conflict with this ordinance, be and the same are hereby repealed.

NO. 4032. As passed Jan., 13, 1888, and amended by No. 4288, passed Oct. 25, 1889.

To regulate milk-wagons.

Be it ordained by the Common Council of Cincinnati:

SEC. 1. That any person offering milk for sale from a wagon shall be required to have painted on both sides of said wagon, in a conspicuous place, the name in full of the owner thereof, the number of his dairy, and the exact location of the same; if a street the number, and if a road or pike the name.

SEC. 2. Any person driving a wagon with milk for sale without complying with Section 1 of this ordinance shall be guilty of a misdemeanor, and shall be fined not less than ten dollars nor more than fifty dollars, or imprisoned not less than ten days nor more than sixty days, or both, at the discretion of the court, on conviction, and pay the costs of the prosecution.

NO. 4082. Passed July 13, 1888.

To regulate the sale of milk.

Be it ordained by the Common Council of Cincinnati:

SEC. 1. That whoever, by himself or by his servant or agent, or as the servant or agent of any other person, sells, exchanges, or delivers, or has in his custody or possession with intent to sell, exchange, or deliver, or exposes or offers for sale or exchange adulterated milk, or milk to which water or any foreign substance has been added, or milk from diseased or sick cows, shall for a first offense be punished by a fine of not less than fifty nor more than two hundred dollars; for a second offense, by a fine of not less than one hundred dollars nor more than three hundred dollars, or by imprisonment in the Workhouse for not less than thirty nor more than sixty days; and for subsequent offense by fine of fifty dollars, and by imprisonment in the Workhouse of not less than sixty nor more than ninety days.

SEC. 2. Whoever, by himself or by his servant or agent, or as the servant or agent of any other person, sells, exchanges, or delivers, or has in his custody or possession with intent to sell or exchange, or exposes or offers for sale as pure milk, any milk from which the cream or part thereof has been removed, shall be punished by the penalties provided in the preceding section.

SEC. 3. No dealer in milk, and no servant or agent of such a dealer, shall sell, exchange, or deliver, or have in his custody or possession with intent to sell, exchange, or deliver, milk from which the cream or a part thereof has been removed, unless in a conspicuous place, above the center, upon the outside of every vessel, can, or package from which or in which such milk is sold, the words "Skimmed Milk" are distinctly marked in uncondensed gothic letters, not less than one inch in length. Whoever violates the provisions of this section shall be punished by the penalties in Section 1.

SEC. 4. In all prosecutions under this ordinance, if the milk is shown upon analysis to contain more than eighty-seven and one half per cent of watery fluid, or to contain less than twelve and one half per cent of milk solids, or to contain less than nine and three tenths per cent of milk solids, exclusive of fat, it shall be deemed for the purpose of this ordinance to be adulterated, and not of good standard quality.

NO. 20. Passed June 20, 1890.

To further regulate the sale of milk in the City of Cincinnati.

Be it ordained by the City Council of Cincinnati:

SEC. 1. That no person shall offer or have for sale in the city of Cincinnati any milk from cows that have not been put upon and had the use of good, wholesome, and sufficient pasturage at least twelve hours in every twenty-four hours each day during the months of May, June, July, August, and September of each year.

SEC. 2. That any person or persons violating the first section of this ordinance shall, upon conviction thereof in

the Police Court or other court having jurisdiction, be fined in any sum not exceeding one hundred dollars nor less than twenty-five dollars and the costs of prosecution for each and every offense, and in default of payment thereof shall be imprisoned until the same be paid.

No. 246. Passed April 22, 1892.

To accept the gift of \$50,000 from Margaret Y. Schmidlapp and J. G. Schmidlapp, in memory of Charles Schmidlapp, deceased, in trust to provide music in Eden Park on Sunday afternoons.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That whereas Margaret Y. Schmidlapp and J. G. Schmidlapp have offered to donate to the city the sum of fifty thousand dollars to provide music for the people of Cincinnati, on Sunday afternoons in Eden Park, upon the following conditions, to-wit :

The principal of the sum, together with such other donations as may be made to it, to be intrusted to the trustees of the Sinking Fund of the city of Cincinnati and their successors, to be by them invested in bonds of the city of Cincinnati, the income of such investment to be paid semi-annually to a board of five trustees, who shall expend the money in giving free concerts in Eden Park on Sunday afternoons when the weather permits, said trustees to have complete power and discretion as to all matters relating to such concerts.

Said trustees to be appointed as follows: One by the mayor of Cincinnati, one by the board having charge of the parks of Cincinnati, one by the trustees of the Cincinnati Music Hall Association, one by the trustees of the Cincinnati Art Museum Association, and one by the Chamber of Commerce of Cincinnati; and in case of any vacancy from any cause the same to be filled by appointment by the same board, officer, body, or association that made the original appointment.

If there remain at the end of any calendar year any unexpended income, the same shall be used for concert music

in other public parks in Cincinnati on Sundays during the summer season.

Said gift being made on condition that the city accept the fund, and allow the trustees thereof six per cent per annum, or the legal rate of interest thereon, for the purpose named. Said fund shall be known as the Schmidlapp Park Music Fund.

Now, then, the city of Cincinnati accepts said donation upon the conditions stated, and guarantees and agrees to pay to said trustees as aforesaid a perpetual income on said fund equal to six per cent, or the legal rate of interest as it may be fixed by law from time to time, said interest payable semi-annually, upon said sum of fifty thousand dollars for the purposes above stated.

VOTE OF THANKS.

Whereas, Margaret Y. and J. G. Schmidlapp have donated to the city of Cincinnati, in loving memory of Charles Schmidlapp, deceased, the sum of fifty thousand dollars, the income from which is to be expended for free concerts in Eden Park, and which gift has been accepted by the Board of City Affairs; and

Whereas, The City Council of the city of Cincinnati recognizes and appreciates the public spirit of this action: Therefore

Resolved, That this body concurs in the action of the Board of City Affairs in accepting this magnificent gift, and tenders to the generous donors its thanks on behalf of the whole city, represented in its membership.

Resolved, That these resolutions be spread upon the minutes of Council, and that copies be transmitted by the city clerk to Margaret Y. Schmidlapp and J. G. Schmidlapp.

NO. 152. Passed March 13, 1891.

To provide for a uniform system of numbering houses.

Be it ordained by the City Council of Cincinnati :

SEC. 1. That every owner of a building on any street, avenue, or alley in the city shall, when notified of the proper number of such building by the chief engineer of the Board of Public Improvements, place the same in a conspicuous place on the front of such building. One whole number shall be allowed on every twenty-five feet of ground wherever practicable, whether improved or vacant, provided that any house or tenement with a less front than twenty-five feet shall receive a whole number ; and that all streets, avenues, or alleys running north and south shall number from the river or the commencement of said street nearest thereto with odd numbers on the west side and even numbers on the east side of said street, avenue, or alley ; and all streets, avenues, or alleys running east and west shall be numbered east from Vine Street or the terminus of said street nearest thereto, and west from Vine Street or the terminus of said street nearest thereto, with odd numbers on the south side and even numbers on the north side of said street, avenue, or alley ; and in numbering said streets, avenues, and alleys one hundred numbers shall be allowed to each block of the usual length of blocks, so that the number of each consecutive block shall commence with consecutive hundreds and one.

SEC. 2. That it shall be unlawful for any person to take down, alter, or deface any number assigned and put up as aforesaid, or to retain an improper number, or to substitute any other number on such building than the one given by virtue of this ordinance, and for the purpose of carrying out its provisions.

SEC. 3. Any person or persons violating the provisions of this ordinance shall, on conviction thereof before the Police Court, be fined in any sum not exceeding twenty-five dollars for each and every offense, with costs of prosecution.

SEC. 4. An ordinance passed September 15, 1865, entitled "An ordinance to provide for a uniform system of numbering houses," is hereby repealed.

NO. 219. Passed August 22, 1898.

To prevent interference with the movement of parades through the streets of the city.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful for any person or persons to break through the rope, wire, or line established by the police for the protection of parades passing along any of the streets of the city.

SEC. 2. That it shall be unlawful for any person or persons to interfere in any way with the movement of parades, processions, or other bodies permitted to march upon any of the streets of the city.

SEC. 3. That any person violating any of the provisions of this ordinance shall, upon conviction in the Police Court of the city of Cincinnati, be fined in any sum not exceeding twenty-five dollars or imprisoned for a term not exceeding thirty days, or both, in the discretion of the court.

NO. 52. Passed July 24, 1891.

To prevent posting of pictures or illustrations of an unbecoming, obscene, or immoral character.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. No person, firm, or corporation carrying on the business of bill-posting shall within the limits of the city of Cincinnati post or cause to be posted, so that the same can be seen from the streets, alleys, or other public places of said city, any advertisement containing pictures or illustrations of an unbecoming, obscene, or immoral character, under a penalty of not less than twenty-five nor more than two hundred dollars.

SEC. 2. It shall be the duty of the mayor to revoke the license of any bill-poster who may be found violating the provisions of this ordinance.

No. 1186. Passed March 22, 1897.

To license plumbers and regulate the construction of plumbing.

[This ordinance is not printed in this connection, for the reason that it appears to have been in part repealed by Ordinance No. 218 (see pp. 52-74), and therefore is not recognized by the inspector of buildings, and has been in part rendered invalid by a court decision. In the case of the State of Ohio *ex rel.* Buddenberg v. Tooker, Inspector, No. 110,620 Court of Common Pleas, Hamilton County, Ohio (reported in the Cincinnati Court Index, Vol. 5, No. 234), the court held that the following portion of Section 8 of Ordinance No. 1186 was in conflict with the provisions of Section 2575-111 of the statutes of Ohio, and was therefore invalid and void, to-wit: "The said line of sewerage may be laid by a licensed sewer-tapper to within three feet of outside foundation of building, but no connections can be made to any part of house drainage. All connections must be made by a properly licensed plumber." The decision was expressly confined to that portion of the ordinance quoted.]

No. 4067. Passed May 4, 1888.

Creating the office of interpreter of the Police Court, and prescribing duties and fixing compensation.

Be it ordained by the Common Council of Cincinnati :

SEC. 1. That the office of interpreter of the Police Court of Cincinnati be and the same is hereby created.

SEC. 2. Said interpreter of the Police Court of Cincinnati shall be appointed by the mayor, and his term of office shall be one year, beginning on the first day of February, 1888, and each year thereafter.

SEC. 3. It shall be the duty of said interpreter to attend at all sessions of the Police Court, and interpret faithfully the evidence given in all city cases where necessary in said court.

SEC. 4. That the compensation of said interpreter of the Police Court for city cases be fixed at the sum of fifty dollars per month, payable by the city treasurer on the warrant of the city comptroller; said compensation to be in lieu of all fees or perquisites that may be allowed by reason of such service as interpreter.

No. 65. Passed August 16, 1897.

To provide for the appointment of two additional deputy clerks of the Police Court of the City of Cincinnati, and to prescribe their duties, and prohibiting the taking of fees for bail bonds.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That the clerk of the Police Court of the city of Cincinnati be and he is hereby authorized to appoint, subject

to confirmation by said Board of Legislation, two additional clerks, at salaries of twelve hundred dollars each per annum. They shall furnish bond satisfactory to this board, in the sum of three thousand dollars, for the faithful performance of their duties.

SEC. 2. These additional clerks shall attend to the duties of the office of the clerk of the Police Court, as prescribed by statutes and ordinances, between the hours of 4 o'clock P. M. and 8 o'clock A. M. every day of each week, during which time they shall admit to bail all persons who shall be entitled to be so admitted to bail without charging or receiving from any such person any reward, fee, or compensation whatsoever.

SEC. 3. If the clerk of the Police Court or any of his deputies shall make any charge or receive any reward, fee, or compensation for admitting any person to bail, then said clerk or clerks shall forfeit their office, and be fined not more than ten dollars nor less than five dollars for each offense.

SEC. 4. Nothing in this ordinance contained shall be construed as prohibiting the clerk of the Police Court from assigning the duties herein prescribed for said additional deputy clerks to any other deputy clerks, or transferring said additional deputy clerks to any other duties, provided said office is kept open and deputies are in attendance during the hours and for the purpose in Section 2 of this ordinance specified.

No. 74. Passed October 11, 1897.

To provide for the prosecution, recovery, and collection of fines, penalties, and forfeitures for a violation of the ordinances of the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. Whenever a warrant is issued by the clerk of the Police Court of the city of Cincinnati charging any person who is a resident of the city of Cincinnati, and who has not been arrested while found violating any law of the state, with committing a misdemeanor of which the Police Court has final jurisdiction, it shall be the duty of the superintendent of police,

or of the officer to whom said warrant is given for execution, to forthwith personally notify the person charged of the fact that such warrant has been issued, and to further notify said person to appear before said Police Court at its next session at the opening thereof, or within an hour thereafter, to answer said charge, and to give bail for his (or her) appearance.

SEC. 2. The officer having said warrant and giving said notice shall indorse upon the back of said warrant the day and the time of day at which the accused is notified; and if the accused fails to appear before said Police Court at its next regular session, and within an hour after the opening thereof, said officer shall proceed forthwith to arrest said accused on said warrant.

SEC. 3. The provisions of the preceding sections shall not apply where the misdemeanor charged is larceny, embezzlement, obtaining property by means of false pretenses, or breaking and entering a building or railroad car.

SEC. 4. Whenever an affidavit is filed in the Police Court charging any person who is a resident of the city of Cincinnati, and who has not been arrested while found violating any ordinance of said city, with a violation of an ordinance of said city, the clerk of the Police Court shall issue a summons to the superintendent of police, which summons shall be as follows:

To the Superintendent of Police of the City of Cincinnati:

You are hereby commanded to summon.....to appear in the Police Court of the city of Cincinnati on the.....day of....., A. D....., at.....o'clock A. M., to answer the charge of (here set forth charge), which has been preferred against him (or her) in said Police Court upon the oath and affirmation of.....; and of this summons you will make due return.

Witness my hand and the seal of said court this.....day of....., A. D.....

SEC. 5. The superintendent of police or any officer of the police force shall serve said summons by delivering a copy thereof to the accused personally, or by leaving a copy thereof at his (or her) usual place of residence; and shall indorse on the original summons the time and manner of said service, and

shall return said original summons to the clerk of the Police Court within twenty-four hours of the date of service thereof.

SEC. 6. If the accused shall fail to appear at the time mentioned in said summons, a warrant for his (or her) arrest forthwith shall be issued by the clerk of the Police Court to the superintendent of police. If the accused appear at the time mentioned, and the complaint against him (or her) is not disposed of at the time, but is continued until some other day, the accused shall be allowed to go on his (or her) own recognizance, unless the judge of the Police Court shall require the accused to give bail for his (or her) appearance.

SEC. 7. In all cases where any person charged in the Police Court of said city with the violation of an ordinance of said city is required to give bail for his (or her) appearance, he (or she) may, in lieu of bail, deposit with the clerk of the Police Court or his deputies, as security for his (or her) appearance, money the amount of which shall be designated by the judge of the Police Court, the clerk, or his deputies; and in case the person so depositing money fails to appear to answer to said charge, the judge of the Police Court shall make an entry upon the minutes of said court declaring said money forfeited to the city of Cincinnati, and the clerk of the Police Court shall within thirty days after making the said entry pay the amount of said money into the treasury of the city of Cincinnati to the credit of the General Fund thereof.

SEC. 8. Nothing in this ordinance contained shall control or limit the right of a member of the police force of the city of Cincinnati to arrest any person found violating any law of the state or any ordinance of said city, and the provisions of this ordinance shall not apply to any person arrested while found violating any law of the state or any ordinance of said city, except so far as provided in Section 7.

No. 32. Passed June 8, 1903.

To amend an ordinance of the Common Council of the City of Cincinnati, passed May 19, 1882, and numbered 3327.*

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That Section 4 of an ordinance of the Common Council of the city of Cincinnati, entitled "An ordinance to provide for the summoning and impaneling of jurors in the Police Court, and to repeal an ordinance passed December 1, 1875," passed May 19, 1882, and now reading as follows: "The trustees of the township of Cincinnati, representing each ward in the city of Cincinnati, shall within two days after the passage of this ordinance, and annually in the month of May thereafter, each write fifty names of persons, residents of the ward represented by such trustees, qualified to be such jurors, and deliver the same to the clerk of said court, who shall, as soon thereafter as possible, place in said wheel said names, each name being upon one slip of paper, with the street and number of the residence of such person plainly written thereon. Said wheel shall then be securely locked in the presence of the judge of said court. A duplicate of the lists so furnished the clerk shall be deposited with the clerk of the Common Council, which last list shall be open to inspection and comparison at any time by any party to a suit in said court or their attorneys. Said wheel shall be kept securely locked at all times, except when necessary to put in or withdraw names therefrom. If the venire of sixteen names shall be exhausted without obtaining the required number to fill the panel, then upon demand of the prosecutor or defendant such further list of names shall be drawn from the wheel as in the opinion of the court may be necessary, and the names so drawn shall be called in the order of their drawing, but the prosecution and defendant may in open court consent that the judge of the Police Court or the superintendent of police may fill the panel from the bystanders,"—be amended by striking out therefrom

*See page 390, Coppock and Hertenstein.

the word "May" and inserting in lieu thereof the word "June," and by striking out the word "Common."

SEC. 2. Said original Section 4 of said Ordinance No. 3327 is hereby repealed.

NO. 39. Passed June 12, 1903.

Fixing the salaries of the officers and employees in the Police Court Department of the City of Cincinnati.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. The salaries of the officers and employees of the Police Court Department of the city of Cincinnati, as paid by said city, shall be as follows : Judge, \$2,000 per year ; clerk, \$2,000 per year ; prosecuting attorney, \$2,200 per year ; two deputy clerks, each \$1,300 per year ; transcript or journal clerk, \$1,300 per year ; two additional or night clerks, each \$1,200 per year ; sergeant-at-arms or messenger, \$900 per year. Said salaries shall be paid monthly upon payrolls certified to the auditor by the judge and clerk of said court.

SEC. 2. All ordinances in conflict herewith are hereby repealed.

NO. 4232. Passed July 5, 1889.

For the protection of the police patrol service.

Be it ordained by the Common Council of Cincinnati :

SEC. 1. It shall be unlawful for any person to make or cause to be used or have in his possession any impression, imitation, or duplicate of any police patrol-box or signal-box key without the express permission of the mayor and the Board of Police Commissioners.

SEC. 2. It shall be unlawful for any person to give or cause to be given any false alarm through or by means of the police signal telegraph or any of the apparatus connected therewith, with intent to deceive ; or pull the hook of any signal-box, except when police assistance is actually required ; or tamper, meddle, or interfere in any manner with the said boxes ; or

cut, break, injure, deface, or remove any of the street stations or sentry-boxes, or any of the wires, supports, or other parts or appliances connected with said telegraph or with any portion of the police patrol and signal apparatus; or make any connection or communication so as to interrupt or interfere with the proper working of said telegraph; or wrongfully injure, break, or destroy any apparatus, machinery, or fixtures connected therewith; or post any bill or advertisement upon any of said street stations or boxes; or place or cause to be placed any snow, ice, or other substance or thing against the door of any such box in such manner as to obstruct or interfere with the opening thereof.

SEC. 3. Or to turn or send in a false alarm of fire, or to turn or send in an alarm of fire to the fire department of this city without just reason or ground to believe that a fire exists.

SEC. 4. Any person violating any of the provisions of either of the sections of this ordinance shall, upon conviction thereof in the Police Court, be fined in a sum not less than five dollars nor more than fifty dollars for each and every offense, or be imprisoned not more than thirty days, or both.

NO. 841. Passed May 12, 1902.

Declaring the necessity for the establishment and maintenance of a police relief fund in the City of Cincinnati.

Whereas, The General Assembly of Ohio did on April 23, 1902, pass a certain act, entitled "An act authorizing the levy of taxes in municipalities to provide for firemen, police, and sanitary police pensions or relief funds, and to create and perpetuate boards of trustees for the administration of such funds;" and

Whereas, Said act provided in Section 2 thereof that in any municipal corporation in this state having or which may hereafter have a police department, supported in whole or in part at the public expense, the Council, Board of Legislation, or other legislative body may, by ordinance declare the neces-

sity for the establishment and maintenance of a police relief fund for the purposes named in said act ; and

Whereas, Said act further provided that upon such determination by the Council, Board of Legislation, or other legislative body there should be created in any municipality a board of trustees, to be known as the "Trustees of the Police Relief Fund," who shall administer and distribute the funds authorized to be raised by said act : Therefore be it ordained by the Board of Legislation of the City of Cincinnati :

SEC. 1. That the necessity is hereby declared for the establishment and maintenance of a police relief fund in the city of Cincinnati, and the creation of a board of trustees who shall administer and distribute said fund ; and said fund shall be established and maintained, and said board of trustees shall be created, in such manner and perform such duties as are provided in said act of the General Assembly, passed April 23, 1902.

SEC. 2. That the city clerk is, upon the final passage of this ordinance, hereby authorized and directed to serve upon the police commissioners of the city of Cincinnati a certified copy of said ordinance, which shall be authority for said commissioners to proceed in the manner provided for in said act of the General Assembly to hold the election provided for in said act for members of the Board of Trustees of the Police Relief Fund, who shall be chosen from among the members of said police department. Upon the election of said members, who, together with the police commissioners of the city of Cincinnati, shall constitute the Board of Trustees of the Police Relief Fund, said board shall organize and proceed to the establishment, maintenance, administration, and distribution of the police relief fund authorized by said act of the General Assembly.

No. 17. Passed May 18, 1903.

Providing for the organization of the police department.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. The police department of the city of Cincinnati shall be composed of the following officers and other members hereinafter enumerated, who shall receive the respective salaries hereinafter provided, payable semi-monthly, and shall give bonds in amounts hereinafter required.

A chief of police at a salary of \$6,000 per year, who shall give bond in the sum of \$10,000.

Three inspectors of police, one of whom shall receive a salary of \$2,400 per year, one a salary of \$2,000 per year, and one a salary of \$1,800 per year; twenty-one lieutenants of police, who shall each receive a salary of \$1,300 per year. Said inspectors, captains, and lieutenants shall each give a bond in the sum of \$2,000. •

Thirty-two sergeants, who shall each receive a salary of \$1,150 per year; ten corporals, who shall each receive a salary of \$1,050 per year. Said sergeants and corporals shall each give bond in the sum of \$2,000.

Five hundred patrolmen, who shall receive a salary of \$840 each per year for the first year; \$900 each per year for the second year; \$960 each per year for the third year; and \$1,020 each per year thereafter. They shall each give bond in the sum of \$1,000.

Thirty substitute patrolmen, who shall, when on duty, be paid at the same rate as patrolmen are paid, and shall give the same bond.

Eleven detectives, one of whom shall receive a salary of \$1,700 per year, eight a salary of \$1,500 each per year, and two a salary of \$1,400 each per year. They shall each give bond in the sum of \$2,000.

Thirty patrol-wagon drivers, who shall each receive a salary of \$780 a year for the first and second year of service, and \$840 a year for each year thereafter; thirty station-house keepers,

who shall each receive a salary of \$720 per year for the first and second year of service, and \$780 per year for each year thereafter. Each of said drivers and station-house keepers shall give a bond in the sum of \$1,000.

Nine court officers, one of whom shall be chief court officer and receive a salary of \$1,500 per year, and give a bond of \$2,000; and the other eight court officers shall each have the rank, receive the salary, and give the bond provided for patrolmen.

Four matrons for the House of Detention, who shall each receive a salary of \$600 per year.

NO. 46. Passed June 26, 1891.

To provide for the protection of polling-houses.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful for any person or persons to maliciously or intentionally break open, injure, or deface any polling-house, or post any bills or notices thereon; but this section shall not apply to the posting of election proclamations or notices containing lists of registered electors required by law to be posted.

SEC. 2. It shall be unlawful for any person or persons on or before the day of election to deface or destroy any election notice, or any notice containing a list of registered electors, posted at any polling-place required by law to be posted.

SEC. 3. Any person violating any of the provisions of this ordinance shall be fined in any sum not more than fifty dollars nor less than ten dollars.

NO. 332. Passed July 10, 1899.

To authorize the leasing of the City's Poor Farm to Charles Johnson,

Whereas, Charles Johnson is desirous of leasing from the city the tract of land hereinafter described upon the terms and

conditions hereinafter provided, now therefore be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That the city hereby agrees to lease to the said Charles Johnson for the term of ten years the property of the city known as the "City's Poor Farm," consisting of twenty-six acres, more or less, situated on the south side of Section 1, Township 2, Fractional Range 2, Hamilton County, Ohio, excepting that portion thereof known as "Potter's Field," and so much of the land adjoining the said "Potter's Field" as will be necessary for the city to use for burial purposes during the term of this lease, at an annual rental of one hundred dollars, payable quarterly; said Charles Johnson also to keep the fences in repair so far as his labor is concerned, the city to furnish the material, if any be needed; that the corporation counsel be and he is hereby authorized to prepare a lease thereof, with proper covenants and conditions, and the mayor is directed to execute and deliver the same on the part of the city.

No. 187. Passed February 12, 1892.

To regulate the sale of produce, etc., in the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That no person shall sell, or offer for sale, barter, or exchange, any car-load lot or any less quantity of fruit, vegetable or farm produce, butter, eggs, game, or poultry contained in any railroad car, or in any railroad freight depot or warehouse, or on any steamboat, flatboat, wharf-boat, or boat-landing, within the city of Cincinnati, without first obtaining an annual license to engage in such business, under a penalty of not less than twenty-five dollars nor more than one hundred dollars for each offense; provided, however, the provisions of this section shall not apply to any farmer, gardener, fruit- or vine-grower engaged in selling the produce of his farm, garden, orchard, or vineyard from their wagons or stands in the markets,

nor to any commission merchant having a storehouse and established place of business in this city.

SEC. 2. That every person before engaging in the business or occupation mentioned in the preceding section shall pay to the city of Cincinnati an annual license fee of two hundred dollars in the manner provided for by the ordinances of said city concerning licenses.

NO. 41. Passed June 15, 1903.

To regulate and license the sale of produce within the City of Cincinnati to persons other than wholesale dealers by non-residents.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That it shall be unlawful for any person or persons, firm or corporation who are not residents of the city of Cincinnati to sell or offer for sale, by agent or otherwise, to any person, persons, firm, or corporation, other than wholesale dealers, produce not of their own production, without having first obtained a license therefor as hereinafter provided.

SEC. 2. Before any such non-resident person, persons, firm, or corporation shall engage in such business in the manner above described, he or they shall apply to the auditor for a license to engage in such business. The auditor shall issue to the applicant for such license a certificate stating the name, residence, or place of business and occupation of said applicant. Said certificate shall be delivered to the city treasurer, who shall upon the receipt of the sum of seventy-five dollars give a certificate of payment to said applicant. Upon the presentation of said certificate to the auditor of said city he shall issue a license to said applicant to engage in such business, which license shall be good for the term of one year from the date of its issue.

SEC. 3. The auditor shall have the authority to revoke such license at any time.

SEC. 4. Any person, persons, firm, or corporation, or agent thereof, who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine of not more than one hundred dollars nor less than fifty dollars; each day that such person, persons, firm, or corporation shall conduct such business without such license shall be held to constitute a separate offense.

SEC. 5. It shall be the duty of the police or other officer clothed with police powers to enforce the provisions of this ordinance.

NO. 602. Passed January 14, 1901.

To provide for the punishment of vagrants, loiterers, common street-beggars, common prostitutes, habitual disturbers of the peace, persons who abuse their families, known pickpockets, gamblers, burglars, thieves, watch-stuffers, ball-game players, persons who practice any trick-game or device with intention to swindle, or any suspicious person who can not give a reasonable account of himself; and to amend sections 1 and 2 of an ordinance passed May 11, 1859 (Coppock and Hertenstein's Ordinances, edition of 1887, page 343), entitled "An ordinance to provide for the punishment of certain misdemeanors, in pursuance of an act of the General Assembly passed March 29, 1859.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That sections 1 and 2 of an ordinance passed May 11, 1859 (Coppock and Hertenstein's Ordinances of the City of Cincinnati, edition of 1887, page 343), entitled "An ordinance to provide for the punishment of certain misdemeanors, in pursuance of an act of the General Assembly passed March 29, 1859," be and the same are hereby amended so as to read as follows:

"SEC. 1. That if any vagrant, common beggar, common prostitute, or habitual disturber of the peace shall be found in the city of Cincinnati, or if any person shall be found loitering about in any common bar-room, dram-shop, gambling-house, or house of ill-fame, or wandering about the streets, either by night or by day, without any lawful means of support, and

without being able to give a satisfactory account of himself, or if any person shall abuse his family in said city, such person shall, on conviction thereof in the Police Court, be fined for each offense in any sum not less than five dollars nor more than fifty dollars.

“SEC. 2. That if any known pickpocket, gambler, burglar, thief, watch-stuffer, ball-game player, or person who practices any trick-game or device with intent to swindle, or any suspicious person who can not give a reasonable account of himself, shall be found in the city of Cincinnati, such person shall, on conviction thereof in the Police Court, for every such offense be fined in any sum not less than five dollars nor more than fifty dollars.”

SEC. 2. That sections 1 and 2 of an ordinance passed May 11, 1859 (Coppock and Hertenstein's Ordinances of the City of Cincinnati, edition of 1887, page 343), entitled “An ordinance to provide for the punishment of certain misdemeanors, in pursuance of an act of the General Assembly, passed March 29, 1859,” and Section 25 as amended March 3, 1882, of an ordinance passed September 3, 1856 (Coppock and Hertenstein's Ordinances of the City of Cincinnati, edition of 1887, page 335), entitled “An ordinance for the punishment of misdemeanors, and to repeal ordinances therein named,” be and the same are hereby repealed.

STREET RAILROADS.

NO. 3938. Passed May 6, 1887.

To provide for the extension of Spring-Grove-avenue street railway tracks.

Be it ordained by the Common Council of Cincinnati:

SEC. 1. That whereas the Cincinnati Street Railway Company, now owning and operating the street railroad known as the Spring-Grove-avenue Street Railway Division, has made application to extend said railroad as hereinafter specified and authorized, and has obtained and produced to the Board of Public Affairs and to the boards composing the Common Council the written consents to such extension of the owners of more than one half of the feet front of the lots and lands abutting on the streets and portions thereof wherein the tracks are to be laid in the construction of such extension.

Now, therefore, said the Cincinnati Street Railway Company is hereby granted permission to extend the tracks of its said street railroad in Spring-Grove Avenue from the intersection of Spring-Grove Avenue, thence westwardly by double tracks along Queen-City Avenue to Western Avenue, thence northwardly along Western Avenue by double tracks to a turntable about two hundred feet north of Dr. Campbell's sanitarium, near the New Baltimore Pike, on condition that the construction of the tracks and work herein authorized shall be done at the expense of the company, and the avenues shall be restored to their present condition, and that all obstructions of every nature which may be encountered in the progress of said work shall be removed, restored, or adjusted as the Board of Public Affairs may direct and at the expense of the company; that the rails shall be either a tram rail weighing not less than forty-two pounds per yard, or the girder form of rail weighing not less than fifty-two pounds per yard; that the charge of carrying passengers over the road hereby extended shall not be increased by reason of this extension or of any

rights granted herein; that the term of this grant shall cease and determine with the expiration of the grant heretofore made extending said tracks southwardly from Harrison Avenue; and provided that said extension herein granted shall be built, completed, and operated within a period of six months from the date of the passage of this ordinance; and provided further that cars shall be run regularly every ten minutes from seven o'clock A. M. until midnight, or as much oftener as the Cincinnati Street Railway Company may desire; and provided further that if said company shall violate any of the provisions of this ordinance, or of the general street railway ordinance of February 7, 1879, the Board of Public Affairs, and the police on instructions from said board, are empowered to immediately stop the running of cars on said extension. The company shall execute and deliver to the Board of Public Affairs its bond in favor of the city of Cincinnati in the penal sum of ten thousand dollars additional for the faithful performance of the provisions of this ordinance, and the execution and delivery of said bond shall be deemed an acceptance of all the provisions of this ordinance.

NO. 4043. Passed February 24, 1888.

Requiring all cable cars to have attached thereto guards or devices for the protection of life and limb.

Be it ordained by the Common Council of Cincinnati:

SEC. 1. That every cable car operated and run upon any of the lines of this city must have attached thereto guards or safety devices for the purpose of preventing people from being run over and mangled by the wheels or trucks of such car; and it shall be the duty of the superintendent, foreman, and other officers of all cable-car companies to see that every car has attached thereto such guards or safety device before the same shall be permitted to be used for travel.

SEC. 2. Any officer, superintendent, or foreman of any such company who orders, or being in authority permits, any car

to be operated without having such guard or safety device attached thereto shall, upon conviction thereof in the Police Court, be fined in any sum not less than fifty nor more than two hundred and fifty dollars, or be imprisoned in the Workhouse not less than ten days nor more than three months.

NO. 4101. Passed August 17, 1888.

To require a watchman to be placed at the cable-crossing at Fifth and Walnut streets.

Be it ordained by the Common Council of Cincinnati:

SEC. 1. That to provide for the safety of pedestrians and vehicles the Mt. Adams and Eden Park Street Railway Company (Route 10) shall station and keep a watchman at its cable-crossing at the corner of Fifth and Walnut streets, in said city, from 6 o'clock A. M. to 12 o'clock P. M. of each and every day.

SEC. 2. It shall be the duty of the president of said street railroad company (Route 10) to comply with the provisions of Section 1 of this ordinance, and upon said president of said company neglecting, omitting, or refusing so to do he shall be fined in any sum not less than twenty-five dollars per day for each and every day of such omission, neglect, or refusal.

NO. 4283. Passed October 18, 1889.

To provide for the extension of the tracks of Route No. 13, and for the construction and use of an electric system of motive power thereon.

Be it ordained by the Common Council of Cincinnati:

SEC. 1. *Whereas*, The Cincinnati Street Railway Company, owning and operating Route No. 13 of street passenger railroads in Hunt Street and other streets (the track on Hunt Street between Montgomery Road and McMillan Street consisting of a single track and certain turnouts, and being temporarily removed for the purpose of improving said portion of the street), is willing to extend its tracks as herein authorized, and to

change the motive power of the existing and proposed tracks, and make certain reductions of the authorized rates of fare on the conditions hereinafter named; and

Whereas, Owing to the great length of the railroad, the difficult grades along and over which the cars are and must be operated, there is a necessity for convenient and rapid transit, in order to furnish due facilities and accommodations to the public, and the mode of construction and the motive power proposed will require increased cost and expenses on the part of the company; and

Whereas, The said company has obtained and produced to the Board of Public Affairs and the Common Council the requisite consents to the proposed extension of the owners of more than one half the feet front of the lots and lands abutting upon the portion of street wherein it is proposed to construct the extension track :

Now, therefore, In consideration of the premises, and of the improved facilities and reductions of rates of fare hereby contemplated, and the large expenditures necessary to secure the same, said the Cincinnati Street Railway Company is hereby authorized and permitted to extend the tracks of said Route No. 13 by the construction of a track along Hunt Street, from Montgomery Road to McMillan Street, additional to the continuous track heretofore authorized and used in said portion of Hunt Street (said tracks, together with those between McMillan and Shillito streets, to be constructed in the central portion of the street as an ordinary double track, and used in place of the tracks and turnouts heretofore used in said portion of Hunt Street, but the tracks between McMillan and Shillito streets shall be used at the sides of Hunt Street as at present and heretofore until said portion of Hunt Street is improved as now contemplated by the city, when said company shall so place them in the center of said street), and connecting the same at Montgomery Road and McMillan Street with the existing or authorized tracks in said Hunt Street (sometimes called Reading Road). And said company is hereby author-

ized to construct and operate along the railroad tracks, as existing and hereby provided for in said Hunt Street, and in the other streets wherein said Route No. 13 is established which lie south and west of said Hunt Street, an electric system of motive power, and to erect in the sidewalks near the curb-lines of the streets wherein said tracks are operated and hereby authorized to be laid the necessary supports for electric wires, and construct the necessary fixtures and appliances for the use of an electric system of motive power along said tracks in the streets aforesaid.

All plans and the work to be done thereunder shall first be approved by the Board of Public Affairs. And after the construction of such electric system of motive power said company shall have the privilege of charging a uniform rate of fare of five cents for carrying each adult passenger and three cents for each child under ten years of age, in either direction, over any portion of the distance along said railroad (including the part in the village of Avondale) between the intersection of Fourth and Walnut streets in Cincinnati and the north terminus of said railroad in the said village of Avondale. And said company shall be released from the obligation to sell or receive package tickets of any kind or nature for the carriage of passengers, and the term of the grant for said Route No. 13 is hereby extended to a period of twenty-five years from the date of the passage of this ordinance, and the grant hereby made of the right to construct new tracks shall continue for a like period upon the following conditions :

That the construction of the tracks and the work herein authorized shall be done at the expense of the company, and where the streets are opened they shall be restored by said company to a good and substantial condition, to the satisfaction of the Board of Public Affairs ; said company shall also be required to do all resurfacing (but no regrading) of the roadway to such extent as may be deemed necessary by the Board of Public Affairs. Said tracks shall be constructed to the satisfaction of the Board of Public Affairs. That the rails

used shall be of the side-bearing girder form, weighing not less than fifty-two pounds per yard; the supports for such electric system of motive power shall be of metal, and of the best and most approved pattern, and no wires shall be placed above and across any streets within less than twenty feet of the surface thereof. That no charge in excess of the rate of fare of five cents above authorized shall be made for carrying any adult passenger, or of three cents in the case of children under ten years of age, paying said rate in either direction over any portion of the distance along said railroad (including the part in the village of Avondale) between the intersection of Fourth and Walnut streets in Cincinnati and the north terminus of said railroad in the village of Avondale; and that the company shall execute and deliver to the Board of Public Affairs its bond in favor of the city of Cincinnati in the penal sum of twenty-five thousand dollars, conditioned for the faithful performance of all the conditions of this ordinance.

SEC. 2. Said the Cincinnati Street Railway Company, owning and operating Route No. 13 of street passenger railroads, further agrees with the said city of Cincinnati that it will bowlder in a good and substantial manner all that portion of the street between the outer rails of said double tracks on that part of their route commencing at the intersection of Hunt Street and Montgomery Road to the south line of McMillan Street.

No. 4284. Passed October 18, 1889.

To provide for the extension of the tracks of Route 18 of street passenger railroads, the removal and adjustment of certain existing tracks of said route, and the construction and use of a system of electric motive power over a portion of said route.

Be it ordained by the Common Council of Cincinnati:

SEC. 1. *Whereas*, The Cincinnati Street Railway Company, owning and operating Route No. 18 of street passenger railroads, is willing to extend the tracks of said route, and remove

and adjust certain portions of the existing tracks of said route, and change the motive power thereon, all as hereinafter stated, on the conditions below named ; and

Whereas, Owing to the length of the road along and over which the cars must be operated, and the necessity for rapid transit for the accommodation of the public, an improved motive power is necessary ; and

Whereas, The mode of construction and change of motive power proposed will require increased costs and expenses on the part of the company ; and

Whereas, Said street railway company has produced to the Board of Public Affairs and to the boards composing the Common Council the written consents to the extension herein authorized of the owners of more than one half of the feet front of the lots and lands abutting on the portions of the streets along which it is proposed to construct new tracks in making such extensions :

Now, therefore, In consideration of the premises and of the changes and improved facilities hereby contemplated, and the large expenditures necessary to secure the same, said Route No. 18, as heretofore established and extended by ordinances, is hereby extended and changed, and the Cincinnati Street Railway Company so owning and operating said route is hereby authorized and permitted to extend and change the tracks thereof from the easterly track at the intersection of Hamilton Avenue and Chase Street westwardly along Chase or Banning Street by single track to Kirby Road; thence southwardly along Kirby Road by single track to Colerain Avenue ; and thence southeastwardly along Colerain Avenue by single track to and connecting with the end of the westerly track now in said avenue, opposite the Wesleyan Cemetery ; and said street railway company shall so long as the same are operated let the westerly track remain in Hamilton Avenue which is now therein, between Knowlton's Corner and Chase Street, and both of the tracks now in said avenue between Chase and Josephine streets, and the easterly track in Colerain Avenue

now therein, between Spring-Grove Avenue and the northerly end thereof, opposite the entrance to the Wesleyan Cemetery; and whenever the tracks aforesaid shall be removed said company shall place the easterly track now in Hamilton Avenue, between Knowlton's Corner and Chase Street, in the center of said avenue, and shall place the westerly track now in Colerain Pike, between Spring-Grove Avenue and a point opposite the entrance to the Wesleyan Cemetery, in the center of said pike.

Whenever any of said tracks are removed or readjusted, the company shall restore the streets to good condition. And said street railway company is hereby authorized to construct and thereafter operate along the whole of Route No. 18 and the extensions thereof (as to which such authority has not been heretofore given) an electric system of motive power, and to erect in the sidewalks near the curb-lines of the streets wherein the tracks now are and are hereby authorized to be laid the necessary supports for electric wires, and to construct the necessary fixtures and appliances for the use of an electric system of motive power along the tracks of said Route No. 18; provided that in the event of its being deemed impracticable to operate cars by the electric motor over the canal bridge at Liberty Street, eastward bound, then until said bridge shall be lowered said route is hereby changed, and said company is hereby authorized to construct such electric system of motive power and operate its said cars as follows as an alternative portion of said route, namely, from the junction of Harrison and Colerain avenues south along the present track of said Route No. 18 to Central Avenue; thence south along the present track of Route No. 1 of street passenger railways to Twelfth Street; thence east along the southerly track on Twelfth Street to Walnut Street; thence south along the present track on Walnut Street to Fifth Street; thence west along the present north track on Fifth Street to Elm Street; thence north along the present east track on Elm Street to Liberty Street; and thence over Route 18.

Said company shall have the privilege of charging the same rates of fare for carrying passengers over any part or the whole of said portion of said route lying north of the Millcreek bridge as it is authorized to charge for carrying passengers under and according to the ordinance entitled "An ordinance to provide for the extension of Route 18 of street passenger railroads, and for the construction of cable or other improved motive power on said route," passed October 27, 1886; but nothing herein shall authorize any increase of the rates of fare fixed by said ordinance of October 27, 1886, for the carriage of through passengers over said route; and until the electric system herein authorized is completed and operated suitable transfer checks shall be furnished to such passengers at the Millcreek bridge, entitling them to continue their trips in the direction contemplated when the fares are paid to the end of the route; the said company shall be released from any obligation to sell or receive package tickets for the carriage of passengers over any part of said portion of said Route No. 18; and the term of the grant hereby made shall be for a period and shall continue until the expiration of the grant made in respect to Route No. 18 under the ordinance last referred to. The foregoing is upon the following conditions:

(1) That when the extension tracks aforesaid are completed as herein prescribed, said company shall operate cars by electric power over the portion of Route No. 18 lying north of the Millcreek bridge as a single circuit, and in connection with the cars operated on the portion of said route lying south of said bridge, in such manner as to furnish convenient exchange of passengers from one of said portions of the route to the other; and said extension tracks and the said electric system of motive power to be placed along said extension shall be constructed as above authorized as soon as the present improvement of Chase Street, between Hamilton Avenue and Kirby Road, is far enough advanced to admit of the placing of the track therein, and said old portion of track may be removed and the other portion placed in the center of Colerain Pike when the Colerain Pike

as far north as Bluerock Street is being improved with granite ; and within thirty days after said new bridge over Mill Creek is finished said company shall have said electric system of motive power in operation across said bridge, and shall run cars to and over said portion of the route lying north of said bridge.

(2) That the entire work which said street railway company is authorized by this ordinance to do, including the reduction of the crown of any of the streets where necessary, shall be done at the expense of the said company, and under the direction and to the satisfaction of the Board of Public Affairs and its chief engineer. That the said extension track, where authorized, shall be placed and maintained in the center of the streets, and the rails used shall be of the same pattern as those now in use in Hamilton Avenue, excepting along Colerain Avenue, between Bluerock Street and Millcreek bridge, which shall be the girder or Johnson side-bearing rail ; and whenever granite is placed in Spring-Grove, Hamilton, and Colerain avenues the present rails therein shall be replaced by said girder rail. That the supports for said electric system of motive power shall be metal, and of the best and most improved pattern, and no wires shall be placed above and over any street within less than twenty feet from the surface thereof.

(3) The said company shall execute and deliver to said Board of Public Affairs a bond in favor of the city of Cincinnati in the penal sum of twenty-five thousand dollars, to the satisfaction of said board, conditioned for the faithful performance of all and singular the provisions of this ordinance.

No. 4301. Passed December 27, 1889.

Requiring cable and electric cars that do not stop at all intersecting streets to have signs so stating.

Be it ordained by the Common Council of Cincinnati :

SEC. 1. That every car operated upon or over any cable or electric street railroad in this city which does not stop at all intersecting streets on the line of such road must have

conspicuously displayed on both sides of the outside of such car, and also on both sides of the inside of such car, signs at least three feet long and one foot wide each, stating in large plain letters that such cars will not stop between certain points, designating them.

SEC. 2. Any person or company operating any car over any such road in violation of the provisions of this ordinance shall upon conviction thereof in the Police Court be fined in a sum not exceeding fifty dollars and not less than ten dollars for each and every such offense.

NO. 4325. Passed February 7, 1890.

To authorize the South Covington and Cincinnati Street Railway Company to construct and operate an electric system of motive power over that portion of Route No. 9 lying on Front, Walnut, Vine, and Fifth streets, now being operated as a street railway by said company, and to fix the rate of speed thereon.

Be it ordained by the Common Council of Cincinnati:

Whereas, The necessities of the times demand more rapid transit upon street railways than is furnished by animal power; and

Whereas, The South Covington and Cincinnati Street Railway, a corporation organized under the laws of Ohio, and now operating a street railway over that portion of Route No. 9 lying on Front, Walnut, Vine, and Fifth streets, under ordinance passed November 2, 1877, is desirous of establishing an electric system of motive power upon the line so operated by it; and

Whereas, The construction and operation of an electric system of motive power on said line will require said company to incur increased cost and expense:

Now, therefore, In consideration of the premises and the improved facilities for the public convenience hereby contemplated, and the large expenditures necessary to secure and promote the same, the South Covington and Cincinnati Street Railway Company be and the same is hereby authorized and empowered to construct, maintain, and operate on and over that

part of Route No. 9 on Front, Walnut, Fifth, and Vine streets, on and over which it is now operating its line of street railway by animal power, an overhead electric system of motive power for moving street cars, and to open sidewalks near the curb-line in and along said streets to place therein the necessary supports for electric wires, and all other necessary fixtures and appliances for the use of electric motor power along the tracks hereinbefore mentioned, and to run and operate its cars along and over said tracks by electric motor power; that the time of the grant to the South Covington and Cincinnati Street Railway Company to use said part of Route No. 9 is hereby extended for a period of twenty-five years from and after the passage of this ordinance, upon the following conditions:

No. 1—That should the electric system so authorized as aforesaid be constructed and thereafter abandoned, and no other improved system of rapid transit be introduced by consent of the municipal authorities, said company shall restore animal power as the motive power on said line; in such event the extension of time of grant provided for in this ordinance, and all other terms and conditions of this ordinance, shall become null and void. All the work herein authorized shall be done under the supervision of and to the satisfaction of the Board of Public Affairs, and the plan of poles and wires shall be approved by said board before the work of construction begins. That the rate of speed of any car over said tracks or any of them shall not exceed ten miles an hour. That all the terms and conditions of the ordinance passed November 2, 1877, entitled "An ordinance authorizing the South Covington and Cincinnati Street Railway Company to run cars between the Suspension Bridge and Fifth Street," except as the same have been hereby modified and changed, shall remain in full force and effect, and become part hereof. The rate of fare over that part of Route No. 9 operated under the provisions of this ordinance shall not exceed three cents; but nothing herein shall be construed as affecting the right of transfer according to the terms and provisions of the ordinance

of November 2, 1877. No car shall be operated over said route unless it has both a conductor and driver or motorman in charge of the same.

No. 2—That said company shall execute and deliver to said Board of Public Affairs a bond in favor of the city of Cincinnati in the penal sum of ten thousand dollars, to the satisfaction of the Board of Public Affairs, conditioned for the faithful observance and performance of all and singular the provisions of this ordinance.

NO. 50. Passed September 5, 1890.

To establish Route No. 23 of street passenger railroads.

Be it ordained by the City Council of Cincinnati:

SEC. 1. That Route No. 23 of street passenger railroads be and the same is hereby established as follows: Commencing at or near the junction of Central Avenue with Colerain Avenue; thence northwardly over the approach provided for the bridge which crosses over the Miami and Erie Canal to said bridge; thence over said bridge and over the approach provided therefor in lots 207, 208 and 209 in Colonel John Riddle's estate to Browne Street; thence over the present tracks on Browne Street to Warner Street; thence east on Warner Street to Fairview Avenue; thence on Fairview Avenue, from the south end thereof, to Straight Street; thence east on Straight Street to Clifton Avenue; thence north on the sidewalks to Clifton Avenue, near the curb-lines, to the north corporation line of the city of Cincinnati; thence returning over the same route to the place of beginning. The number of tracks over the entire route will be two, with the necessary turntables, turnouts, sidetracks, and switches; the said route being fully shown on plat on file in the office of the Board of Public Improvements.

SEC. 2. The motive power shall be either horse, electricity, cable, or such other approved motive power as may come into general use, except on that portion of the line on Warner Street

on which an incline plane shall be built and operated. The right to operate said route shall be for the period of twenty-five years from the date of grant.

SEC. 3. The consent of the majority of the property-owners in front feet on each street shall be filed with the Board of Public Improvements before the award is made, except on Warner Street, where the consent of all the property-owners owning property shall be secured. In case the successful bidder fail to get the consents of all property-owners on Warner Street, then he or they shall have the right to change and build that portion of the route by an inclined railway on private property.

SEC. 4. The construction of the line on the route shall be commenced within ninety days, and the entire route shall be completed and in operation within twelve months from the time the grant is awarded, or this ordinance shall be void, unless delayed by legal proceedings. The right is hereby reserved by the city of Cincinnati to grant to any other person, persons, or company or companies hereafter the right to occupy and use any portion or all of the tracks, poles, wires, and all necessary appliances which are herein authorized to be placed in Clifton Avenue, between Calhoun Street and the north corporation line, and on condition that such person or persons, company or companies shall use cable, electric, or other improved motive power for rapid transit, and first pay or tender an equal proportion of the cost of constructing such tracks, poles, wires, and necessary appliances, and furnish a proper obligation to pay an equal proportion of the cost of maintaining such tracks, poles, wires, and necessary appliances to the person or persons, company or companies theretofore occupying said tracks; and in the event of a failure of the legal representatives of said various persons or companies using said road to agree upon the amount to be paid under the provisions of this section, the Board of Public Improvements shall appoint an arbitrator to determine the same, whose decision, with the approval of said board, shall be final, and all expenses of said arbitration shall

be paid by the contracting parties; provided, however, that any grant of a second or further company to use such tracks shall be on condition that the cars run in the same direction as those of the grantee herein are or shall be run.

SEC. 5. The owners shall pay into the city treasury four dollars per lineal foot per annum, inside measurement, on each car operated on the line, and two and one half per cent of the gross receipts; said payments to be made at the end of each six months after the date that the line begins operations; and shall accept under all the provisions of the general ordinance providing for the construction and operation of street railroads, passed February 7, 1879.

SEC. 6. That the city clerk is hereby directed to advertise for sealed proposals to construct and operate said street railroad as established in this ordinance, in manner as provided in Section 2 of said general ordinance passed February 7, 1879, and in pursuance to the statutes of the state of Ohio.

NO. 68. Passed September 12, 1890.

To provide for the extension of Route No. 2 of street passenger railroads.

Be it ordained by the City Council of Cincinnati:

SEC. 1. *Whereas*, The Cincinnati Street Railway Company owns and operates Route No. 2 of street passenger railroads, and has produced to the Board of Public Improvements and to the City Council the written consents to the extension hereinbelow authorized of the owners of more than one half of the feet front of the lots and lands abutting on the portion of street along which it is proposed to construct the tracks of such extension:

Now, therefore, Said Route No. 2 as heretofore established and extended by ordinance is hereby extended, and the Cincinnati Street Railway Company so owning and operating said road is hereby authorized and permitted to extend the tracks thereof from the intersection of Freeman Avenue and Liberty Street westwardly by double track along Liberty Street, occu-

pying the tracks now in Liberty Street, to Western Avenue; thence continuing westwardly by double track along Liberty Street and over the viaduct now in course of construction along said street to State Avenue; thence returning along said tracks so to be constructed and used in Liberty Street to Freeman Avenue; and thence eastwardly along Liberty Street to Linn Street on the south track now existing in said street. The foregoing is upon the following conditions:

(1) That the tracks thus authorized to be constructed shall be placed in the central portion of the street equidistant between the curb-lines thereof, and with sufficient space between said tracks to admit of the safe and convenient passage of cars thereon; that the rails used in the construction of said extension tracks shall be the same in form as those now in use on said Route No. 2; that said extension tracks shall be constructed under the direction and to the satisfaction of the Board of Public Improvements and its chief engineer; and that the entire work shall be done at the exclusive expense of said street railway company.

(2) That the charge for carrying passengers on said Route No. 2 so extended shall not be increased by reason of this extension; that the motive power used in propelling cars thereon shall be the same as that now in use or hereafter authorized to be used on and over said Route No. 2; and that the tracks herein authorized to be laid shall be completed within twelve months after the completion of the viaduct aforesaid and of the said Liberty Street so as to admit of the passage of cars and other vehicles thereon between Linn Street and State Avenue.

(3) That the City Council may grant the right to other street railroads to run over any portion or all of the tracks of said route as hereby extended; said Liberty Street, from Freeman Avenue west to State Avenue, being hereby added to what is known as "free territory."

(4) That for the due and faithful performance of the provisions of this ordinance said company shall execute and deliver

a bond to the Board of Public Improvements in favor of the city of Cincinnati in the penal sum of ten thousand dollars.

SEC. 2. This extension is made subject to all the terms and conditions of the general street railway ordinance passed February 7, 1879, and the amendments thereto, so far as they are not inconsistent herewith.

No. 82. Passed December 19, 1890.

To provide for the extension of Route No. 5 of street railways, and of the railway known as the Cincinnati and Clifton Division, and also for the construction and use of an electric system of motive power.

Be it ordained by the City Council of Cincinnati:

SEC. 1. *Whereas*, The Cincinnati Street Railway Company, owning and operating Route No. 5 of street railways, and of what is known in its system of roads as the Cincinnati and Clifton Division, desires and has made application for the permission to extend the tracks of said railways, and has produced to the Board of City Affairs and to the Council the written consents to the extensions hereinbelow authorized of the owners of more than one half of the front feet of the lots and lands abutting upon the portions of streets along which it is proposed to construct tracks in making such extensions:

Now, therefore, The railway tracks of said Route No. 5 and of said Cincinnati and Clifton Division are hereby authorized to be extended, and the Cincinnati Street Railway Company, owning and operating said railways as aforesaid, is hereby authorized and permitted to use and occupy the streets hereinafter named by extending such tracks thereon as follows:

From the north terminus of the tracks of said Route No. 5 in Elm Street northwardly and across McMicken Avenue by double track, as such tracks are usually constructed, to and connecting with the tracks of the Cincinnati and Clifton Incline Plane; thence northwardly along and over the tracks of said incline plane to the north end thereof; thence northwardly along and over the tracks of said Cincinnati and Clifton Division to and through Ohio Avenue to McMillan Street; thence from

the intersection of Ohio Avenue and McMillan Street westwardly by double track along and in the center of McMillan Street, as double tracks are usually constructed, to Clifton Avenue; thence northwardly by double track along and in the center of Clifton Avenue, as double tracks are usually constructed, to a suitable point south of Calhoun Street, to curve in either direction northwardly by a continuation of said double track so as to extend a single track to and upon each sidewalk near the curb-line of said Clifton Avenue at the north line of Calhoun Street produced west; thence continuing each of said single tracks northwardly along said sidewalks near the curb-line of said Clifton Avenue to the tracks therein of street railroad Route No. 23; thence upon said tracks, as the route thereof has been established, to the north corporation line: Provided, however, that if said tracks of said street railroad Route No. 23 are not constructed at the time the grantee herein shall desire to construct and use tracks along said portion of Clifton Avenue, then and in that case the grantee hereunder shall and is hereby authorized to construct said portions of tracks of said Route No. 23, but such construction of said tracks and the right of said grantee to use the same shall not prevent said portions of tracks from being considered and measured as portions of Route No. 23, and shall be subject to the right of the grantee of said Route No. 23 to use and operate cars upon said portion of tracks the same as if said grantee of Route No. 23 had constructed said tracks, and the acceptance of this grant shall be treated as consent by the grantee herein to those provisions touching the rights of the grantee of Route No. 23; on condition, however, that said grantee of Route No. 23 shall observe and perform the provisions of Article 3 of Section 2 hereof.

Said company shall erect and maintain suitable fences for the protection of pedestrian travel along the line of its railroad tracks on Clifton Avenue whenever ordered to do so by the Board of City Affairs, the erection of such fences to be under direction and to the satisfaction of the Board of City Affairs

and its engineer. At the corporation line a crossover may be constructed for the purpose of passing cars from one of said tracks to the other; but such crossover shall not be constructed if said company shall obtain the right to continue the extension of these tracks into Clifton; and if constructed, and such right to an extension into Clifton is afterwards obtained, such crossover shall not be maintained after such extension is made. The curves aforesaid at and near the intersection of Calhoun Street with Clifton Avenue and the crossover at the corporation line shall be laid under the direction of the chief engineer of the Board of City Affairs. No increase of the rates of fare shall be made by reason of the extension aforesaid.

SEC. 2. And whereas said Cincinnati Street Railway Company is willing to change the motive power and reduce certain authorized rates of fare as hereinafter mentioned, on the conditions below named; and whereas owing to the length of the road and grades along and over which the cars must be operated, and the necessity for convenient and rapid transit in order to furnish due accommodation to the public, an improved motive power is necessary; and whereas the mode of construction and the improved power proposed will require increased cost and expense on the part of the said company:

Now, therefore, In consideration of the premises and of the improved facilities hereby contemplated, the large expenditures necessary to furnish the same, and the proposed reduction of certain authorized rates of fare, the said Cincinnati Street Railway Company is hereby authorized and empowered to construct and operate, on the portion of the tracks aforesaid between the present north terminus of Route No. 5 in Elm Street and the north corporation line of the city in Clifton Avenue, an electric system of motive power, and to erect and construct in the sidewalks near the curb-lines of the streets wherein the tracks now are, and are hereby authorized to be laid, the necessary supports for electric wires, and construct the necessary fixtures and appliances for the use of an electric system of motive power along said tracks in said streets, excepting, however, along that portion

of Clifton Avenue aforesaid wherein the extension tracks are to be placed in the sidewalks as hereinbefore provided, and there said company is hereby authorized and empowered to erect and construct in the sidewalks adjacent to the tracks the necessary supports for electric wires, and construct the necessary fixtures and appliances for the use of such electric system of motive power along said tracks. For the purpose of supplying the electricity required for the operation of said electric plant, said company is authorized to place and maintain the necessary supports, wires, and appliances in Harrison, Central, and McMicken avenues, between its power-house on Harrison Avenue and the foot of its incline plane on McMicken Avenue; and after so constructing said electric system of motive power said company shall have the privilege of charging not to exceed a uniform rate of five cents for one continuous passage of each person in either direction over any portion or all of the line between Carrel Street (Columbia) and the north corporation line in Clifton Avenue over Route No. 7 and Route No. 5, and over its incline plane and said Ohio-avenue railway, as the same and Route No. 5 are by this ordinance extended northwardly, and a uniform rate of fare of five cents for one continuous passage of each person in either direction over any portion of its routes, from the north corporation line of the city in Clifton Avenue, by way of McMicken Avenue and Vine-street cable, to Fountain Square, excepting in every instance children under ten years of age, who shall be charged three cents, or two for one fare of five cents; provided that nothing herein shall in any wise affect the rates of fare or any other provision prescribed or contained in the ordinance for the extension of Route No. 7, and for the construction of an electric system of motive power along said Route No. 7 and upon a portion of Route No. 5, passed October 25, 1889, except that the time for completing the construction of the electric system of motive power provided for in said last-mentioned ordinance is hereby extended to the 1st day of April, 1891. And after so completing the electric system of motive power aforesaid north of the north

terminus of Route No. 5 in Elm Street, said company shall be released from any obligation to sell or receive package tickets for the carriage of passengers over any portion of its said railway in Ohio Avenue, or the said proposed extension between said avenue and Clifton; and the terms of the grant of said Route No. 5 and of the said railway in Ohio Avenue, upon the construction of said electric system, is hereby extended to a period of twenty-five years, and the grant of the extension so authorized shall be for a like period, from the date of the passage of this ordinance, upon the following conditions:

(1) That the entire work authorized hereby, including the reductions of the crowns of the streets where necessary, shall be done at the sole expense of said company, and under the direction and to the satisfaction of the Board of City Affairs and its chief engineer. That the said extension tracks, where constructed as ordinary double tracks, shall be placed and maintained in the central portion of the streets, at such a distance apart as to allow for the safe and convenient passage of cars thereon. That the rails to be used in the construction of said extension tracks shall be of the pattern known as the "Johnson side-bearing rail" or the "girder rail," of weight not less than fifty-two pounds per yard. That the supports of such electric system of motive power shall be of metal, and of the best and most improved pattern; and no wires shall be placed above and across or along any street within less than twenty feet of the surface thereof.

(2) That the work herein authorized shall be completed within one year from the passage hereof, unless prevented by litigation. That the Cincinnati Street Railway Company, the grantee herein, shall pay for all the cars run on Ohio Avenue and over the extension above provided for a car license at the rate of four dollars per lineal foot of every such car, inside measurement, and two and one half per cent of the gross earnings from every source of such company from the railway aforesaid in Ohio Avenue and the extension between there and Clifton, and every portion of the route hereby extended,

including its incline plane, as provided in Section 11 of an ordinance providing for the construction, operation, and government of street railroads, passed February 7, 1879; and shall be subject to all the other provisions of said ordinance so far as the same are consistent with the provisions of this ordinance. And that said company shall execute and deliver to the said Board of City Affairs a bond in favor of the city of Cincinnati in the penal sum of twenty-five thousand dollars, to the satisfaction of said board, conditioned for the faithful performance of all and singular the provisions of this ordinance.

(3) The right is hereby reserved to the city of Cincinnati, and the grantee herein consents to this reservation, to grant to any person or company the right to occupy and use any portion or all of the tracks, poles, wires, and all necessary appliances which are herein authorized to be placed in Clifton Avenue, between Calhoun Street and the north corporation line, on condition that such person or company shall use cable, electric, or other improved motive power for rapid transit, and first pay or tender an equal proportion of the cost of constructing said tracks, poles, wires, and necessary appliances, and furnish a proper obligation to pay an equal proportion of the cost of maintaining such tracks, poles, wires, and necessary appliances, and also run the cars in the same direction as those of the grantee herein are or shall be run. And it is further provided that passengers shall be carried in either direction on said Route No. 5 between Fourth and Walnut streets and the north terminus of the railway at Clifton without change of cars; and the street railway company shall furnish suitable means for transferring passengers at Walnut and Fourth and Fifth streets to make continuous trips in either direction beyond Walnut Street over the routes No. 5 and No. 7, and shall provide suitable means for transferring passengers at the foot of the incline plane to make continuous trips in either direction by way of McMicken Avenue and Vine Street, and also suitable means for trans-

ferring passengers at the corner of Sixth and Elm streets to make continuous trips in either direction over the extension of Route No. 5 along Sixth and Baymiller streets; but such transfers shall be such as will entitle the passenger only to a continuous trip.

NO. 83. Passed December 19, 1890.

Granting to Isaac J. Miller the right to construct and operate Route No. 23 of street passenger railroads.

[In the case of Adam and Henry Knorr, taxpayers, on behalf of the City of Cincinnati v. I. J. Miller *et al.*, No. 1093, in the Circuit Court of Hamilton County, this ordinance and the contract entered into under it were adjudged to be illegal and void, on the ground that Simeon M. Johnson was a lower bidder in good faith for the right to construct said street railroad Route No. 23, which judgment was affirmed in the Supreme Court of Ohio, January, 1892.]

NO. 104. Passed January 16, 1891.

To establish Route No. 24 of street passenger railways.

Be it ordained by the Council of Cincinnati:

SEC. 1. That Route No. 24 of street passenger railways be and the same is hereby established as follows: Commencing at or near the intersection of Hamilton Avenue with the north corporation line of Cincinnati; thence southwardly on Hamilton Avenue to Josephine Street; thence over the present tracks of the Cincinnati Street Railway Company on Hamilton Avenue to the intersection of said avenue with Spring-Grove Avenue; thence returning over the same route to the place of beginning. The number of tracks over the entire route will be two, with the necessary switches, turntable, turnouts, and sidetracks; the said route being fully shown on a plat on file in the office of the Board of Public Improvements.

SEC. 2. The motive power shall be either horse, electricity, cable, or such other approved motive power as may come into general use. The right to operate said route shall be for the period of twenty-five years from the date of the grant.

SEC. 3. The consent of the majority of the property-owners in feet front on Hamilton Avenue, between the north terminus

of said proposed railroad and Josephine Street, shall be filed with the Board of Public Improvements before the award is made.

SEC. 4. The entire route shall be completed and in operation within twelve months from the time the award is granted or the ordinance shall be void, unless delayed by legal proceedings.

SEC. 5. The owners shall pay into the city treasury four dollars per lineal foot per annum, inside measurement, on each car operated on the line, and two and one half per cent of the gross receipts. Said payments to be made at the end of each six months after the date after the line begins operations, and shall accept under and comply with all the provisions of the general ordinance providing for the construction and operation of street railroads, passed February 7, 1879.

SEC. 6. That the city clerk is hereby directed to advertise for sealed proposals to construct and operate said street railroad as established in this ordinance, in manner as provided in Section 2 of said general ordinance passed February 7, 1879, and in pursuance to the statutes of the State of Ohio.

NO. 101. Passed January 16, 1891.

To require a watchman at Gilbert-avenue and McMillan-street street railway crossings.

Be it ordained by the Council of Cincinnati :

SEC. 1. That the street railway companies operating street railway routes intersecting at the corner of Gilbert Avenue and McMillan Street be and the same are hereby required to keep a watchman stationed at the said corner between the hours of 4 o'clock P. M. and 7 o'clock P. M., each day of the week except Sunday, for the purpose of warning people of approaching cars.

SEC. 2. Each street railroad company failing to comply with the provisions of this ordinance shall be fined in the sum of twenty-five dollars, and each day that such company fails to comply herewith shall constitute a separate offense.

NO. 171. Passed April 3, 1891.

Providing for the extension of Route No. 2 of the Newport and Cincinnati Street Railroad Company, and for the construction and operation of an electric system of motive power on and over said route and the extension thereof herein provided for.

Be it ordained by the City Council of Cincinnati:

Whereas, A new bridge is being erected over the Ohio River between the cities of Newport (Ky.) and Cincinnati (O.), and it is important that street railway connections be made therewith; and

Whereas, The Newport and Cincinnati Street Railway Company, a corporation organized under the laws of Ohio, owns and is now operating a line of street railway, commencing at the Newport and Cincinnati bridge, running thence north on Butler Street to Pearl Street, thence west on Pearl Street to Broadway, thence on Broadway to Fourth, thence on Fourth to Walnut, thence on Walnut to Fifth, thence on Fifth Street to Broadway, thence south on Broadway to Pearl, thence east on Pearl to Butler, and thence to the place of beginning; and

Whereas, Said railway company is desirous of extending its track on Broadway south of Pearl Street, so as to connect its track with the new bridge now being constructed over the Ohio River as aforesaid, and to substitute electrical for animal power in the operation of its road over the route now being operated by it and as extended under the provisions of this ordinance:

Therefore, In consideration of the premises, the said Newport and Cincinnati Street Railway Company is hereby authorized to extend its tracks, commencing at a point at the intersection of Broadway and Pearl Street, where its present track is now laid, and extending thence southwardly along Broadway by double tracks for about the distance of three hundred and thirty-nine feet to the south side of Second Street, and in such manner as to connect said tracks with the street railway tracks to be laid on the bridge of the Central Railway and Bridge Company, constructed over the Ohio River between the cities of Newport (Ky.) and Cincinnati (O.) as aforesaid, on conditions:

First—That said company shall construct said tracks under the direction of and to the satisfaction of the Board of Public Improvements, and at the sole expense of said street railway company, and shall at the expense of said company relay and repair, to the satisfaction of the Board of Public Improvements, any part of any street removed in the laying of said tracks.

Second—That there shall be no increase of rates of fare by reason of the extension herein granted, and the grant thereof shall terminate with the expiration of the grant for the remainder of the route now being operated by said railway company.

Third—That the rails used in the construction of the track herein authorized shall be of the same kind used upon the remainder of said route.

The said company is hereby authorized to substitute and operate electrical power for the running of its cars, instead of animal power as now used, on and over the lines now being operated by it on the streets hereinbefore set out, and on and over the extension hereby granted, and to that end to construct, maintain, and operate along and over said streets an overhead electric system of motive power for the moving of its street cars, and to open the sidewalks near the curb-line in and along said streets to place therein the necessary supports for electrical wires and all other necessary fixtures and appliances for the use of electrical motive power along and over said tracks, and to run and operate its cars along and over said tracks by electric motive power. That the time of the grant to the Newport and Cincinnati Street Railway Company to construct, own, and operate street railways in the city of Cincinnati is extended for a period of twenty-five years from and after the passage of this ordinance. This grant is made upon the following conditions :

That should the electric system herein authorized to be constructed be hereafter abandoned, and no other system of rapid transit be introduced by consent of the municipal authorities, said company shall restore animal power on said line, and

in such event the extension of the time herein granted shall become null and void. All work herein authorized shall be done under the supervision and to the satisfaction of the Board of Public Improvements, and the plan of poles and wires shall be approved by said board before the work of construction begins. That the rate of speed of any car over said tracks or any of them shall not exceed ten miles an hour. That all the terms and conditions of the ordinance passed February 25, 1881, entitled "An ordinance to provide for the operation and government of the Newport and Cincinnati Street Railroad Company and the Cincinnati and Newport Street Railroad Company," except as the same have been hereby modified and changed, shall remain in full force and effect and become part hereof, and shall apply to the extension herein provided for and in accordance with the provisions of general ordinance passed February 7, 1879. No car shall be operated over said route or any part thereof unless it have both a conductor and motor-man in charge thereof.

The said company shall execute and deliver to the said Board of Public Improvements a bond in favor of the city of Cincinnati in a penal sum of ten thousand dollars, to the satisfaction of the Board of Public Improvements, conditioned for the faithful observance and performance of all and singular the provisions of this ordinance.

NO. 36. Passed June 5, 1891.

To provide for the extension of Route No. 9 of street railways, and also for the construction and use of an electric system of motive power.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That whereas the Cincinnati Street Railway Company, owning and operating Route No. 9 of street railways, desires and has made application for permission to extend the tracks of said railway, and has produced to the Board of City Affairs and to the Board of Legislation the written consents to the extension hereinbelow authorized of the owners of more

than one half of the front feet of the lots and lands abutting upon the portions of streets along which it is proposed to construct tracks in making such extension, and also for permission to operate the cars of said Route No. 9 along and over its tracks in certain other streets below named, so as to furnish direct and continuous communication between the northerly portion of said route and the business center of the city:

Now, therefore, the tracks of said Route No. 9 are hereby authorized to be extended, and the Cincinnati Street Railway Company, owning and operating said street railway, is hereby authorized and permitted to extend said tracks as follows: From the north terminus of the tracks at the intersection of McMicken Avenue (formerly Browne Street) and Cliff Street northwardly along said McMicken Avenue by double track to Center Street. For the purpose of enabling said street railway company to operate the cars from Route No. 9 southwardly along and over its certain tracks in the streets below named, the tracks of said Route No. 9 are also hereby extended and authorized to be extended along said streets by adoption and use by said company of its said tracks in said streets as part of said Route No. 9, as follows: From the double tracks in McMicken Avenue at its intersection with Elm Street southwardly along and over the tracks of said company in Elm Street to Fifth Street; thence eastwardly along and over the south track of said company in Fifth Street and south of the Esplanade to Walnut Street; thence southwardly along and over the west continuous track of said company in Walnut Street to Fourth Street; thence westwardly along and over the north track of said company in Fourth Street to Elm Street; and thence northwardly along and over the track of said company in Elm Street to a point therein north of Fifth Street. Said company to use and occupy the existing proper curves situated at the various intersections of streets, and where necessary construct new curves along the line of this extension. No increase of the rates of fare shall be made by reason of any extension herein authorized.

SEC. 2. And whereas said Cincinnati Street Railway Company is willing to change the motive power now in use on the portion of Route No. 9 west of Elm Street, and to adopt the same motive power on said extension, and owing to the grades and the length of road over which the cars must be operated and the need of convenient and rapid transit for accommodating the public such improved motive power is necessary; and whereas the mode of construction of the motive power proposed requires great cost and expense on the part of said company:

Now, therefore, in consideration of the premises and of the improved facilities hereby contemplated, and the large expenditures necessary to furnish the same, the said Cincinnati Street Railway Company is hereby authorized and empowered to construct and operate along the tracks now existing and authorized to be placed in said McMicken Avenue, between Center and Elm streets, and along its tracks in the streets above mentioned over which it is authorized as aforesaid to operate its cars southwardly from McMicken Avenue, an electric system of motive power, and to erect and construct in the sidewalks near the curb-lines of the streets wherein the tracks now are and are hereby authorized to be laid the necessary supports for electric wires, and to construct the necessary fixtures and appliances for the use of a complete system of motive power along said tracks in said streets, excepting, however, along the portion of Elm, Fifth, and Fourth streets aforesaid wherein said company is now authorized by the ordinance passed on the 25th day of October, 1889, to extend Route No. 5 and construct such electric system of motive power, it being the intention hereof that said company shall on said portions of said streets use the electric system so authorized for the purpose of this ordinance.

In order to supply the electricity required for the operation of the electric plant authorized by this ordinance, said company is hereby permitted to place and maintain all necessary supports, wires, and appliances along the line of poles already

authorized between its power-house on Harrison Avenue and McMicken Avenue. After so constructing and putting in operation said electric system of motive power, said company shall have the privilege of charging not to exceed a uniform rate of five cents for one continuous passage of each person in either direction over any portion or all of the line as the same is hereby extended between Center Street and Fourth and Walnut streets, excepting in every instance children under ten years of age, who shall each be charged three cents, or two for one fare of five cents, and infants in arms, who shall be carried free. And after so completing the electric system of motive power aforesaid, said company shall be released from any obligation to sell or receive package tickets for the carriage of passengers over any portion of said Route No. 9 or the said extensions thereof; and the term of the grant of this extension shall expire at the same time as that of original Route No. 9, upon the following conditions:

(1) That the entire work authorized hereby, including the reductions of the crowns of the streets where necessary, shall be done by said company at its sole expense, and under the direction and to the satisfaction of the Board of Administration and its chief engineer; that the extension tracks to be constructed as aforesaid shall be placed and maintained in the central portion of the street at such a distance apart as to allow for the safe and convenient passage of cars thereon, the same as double tracks are usually constructed; that the rails to be used in the construction of said extension tracks shall be of the pattern known as the "Johnson side-bearing rail" or the "girder rail," of weight not less than fifty-two pounds per yard; that the supports of such electric system of motive power shall be of metal, and of the best and most improved pattern; and no wires shall be placed above and across or along any street within less than twenty feet of the surface thereof.

(2) That the work herein authorized shall be completed and the road in operation within one year from the passage

hereof, and if not completed and in operation within such time, then this grant shall be null and void without further action of the city authorities; that upon the completion and operation of the railway hereby extended said company shall continue as heretofore to operate its tracks on McMicken Avenue between a point therein opposite or near the east line of its incline plane property and Vine Street, and furnish transfer tickets for a continuous ride from Fountain Square over Vine Street and McMicken Avenue to and from the terminus of the route on Browne Street for the fare herein authorized; that said company shall pay for all the cars run on the tracks herein described car license at the rate of four dollars per lineal foot of every such car, inside measurement, and two and one half per cent of the gross earnings from every source of such company from the railway hereby extended, as required by Section 2 of an ordinance providing for the construction, operation, and government of street railroads, passed February 7, 1879, and shall be subject to all the other provisions of said ordinance so far as the same are consistent with the provisions of this ordinance. And said company shall execute and deliver to the Board of Administration a bond in favor of the city of Cincinnati, in the penal sum of twenty-five thousand dollars, to the satisfaction of said board, conditioned for the faithful performance of all and singular the provisions of this ordinance.

(3) That between the hours of 6 and 8 A. M. and 5 and 7 P. M. the said company shall run cars over this extension, except on McMicken Avenue between Elm and Vine, at intervals of not exceeding six minutes, and between the hours of 8 A. M. and 5 P. M. and after 8 P. M. at intervals of not exceeding ten minutes till 10 o'clock, and after that in such numbers as will make adequate provisions for the patrons of said line.

NO. 57. Passed July 31, 1891.

Granting to the Cincinnati and Suburban Electric Street Railway Company the right to construct and operate Route No. 24 of street passenger railroads.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Cincinnati and Suburban Electric Street Railway Company be and is hereby authorized, and the grant is hereby made to said company, to construct and operate Route No. 24 of street passenger railroads, as established by an ordinance entitled "An ordinance to establish Route No. 24 of street passenger railroads," passed January 16, 1891.

SEC. 2. The said route shall commence at or near the intersection of Hamilton Avenue with the north corporation line of Cincinnati; thence southwardly on Hamilton Avenue to Josephine Street; thence over the present tracks of the Cincinnati Street Railway Company on Hamilton Avenue to the intersection of said avenue with Spring-Grove Avenue; thence returning over the same route to the place of beginning. The number of tracks over the entire route will be two, with the necessary switches, turntables, turnouts, and sidetracks.

SEC. 3. The motive power shall either be electricity, cable, or such other approved motive power as may come into general use. The right to operate said route shall be for the period of twenty-five years from the date of the grant. The said the Cincinnati and Suburban Electric Street Railway Company is hereby authorized and empowered to erect in the sidewalks near the tracks hereby authorized to be laid the necessary supports for electric wires, and construct the necessary fixtures and appliances for the use of an electric system of motive power along said tracks in said street. The entire work authorized hereby, including the reductions of the crown of the street where necessary, shall be done at the sole expense of said company, under the direction and to the satisfaction of the Board of Administration and its chief engineer. The tracks where constructed as ordinary double tracks shall be placed and maintained in the central portion of the streets, at such

a distance apart as to allow for safe and convenient passage of cars thereon. The rail to be used in the construction of said tracks in the roadways of said streets shall be of the pattern known as the "Johnson side-bearing rail" or the "girder rail," of weight not less than fifty-two pounds per yard. The supports of said electric system of motive power shall be of the best and most approved pattern, and no wires shall be placed across or over any street within less than twenty feet of the surface thereof.

SEC. 4. The construction of the line on the route shall be commenced within ninety days, and the entire route shall be completed and in operation within twelve months from the time the grant is awarded or this ordinance shall be void, unless delayed by legal proceedings or by the improvement of Hamilton Avenue by the city.

SEC. 5. The owner shall, as a condition precedent to the right to run cars as herein specified, pay into the treasury of the city of Cincinnati, to the credit of the General Fund thereof, in advance, on the first day of each and every year during the term of this grant, an annual license fee of the sum of four dollars per lineal foot of every such car, inside measurement, that may be operated by them on the line, and if not paid within ten days after due the mayor shall have the right summarily to stop the running of the cars, and in the event of such stoppage no liability for damage shall accrue. And in addition thereto the said owners, under the same condition and subject to the same penalty, shall pay into the city treasury quarterly, on the first day of January, April, July, and October of each year, two and one half per cent of the entire gross earnings from every source of such company during the preceding quarter, including the entire gross earnings on its whole line and its connecting line to College Hill, and all other connecting lines and extensions. And such owners shall accept under all provisions of the general ordinance providing for the construction and operation of street railroads, passed February 7, 1879, except as herein otherwise expressly pro-

vided. The Board of Legislation shall at any future time have the power, when the public good demands, to grant a second or third company, corporation, or individual the right to occupy any track already laid down upon Hamilton Avenue, between the corporation line and Spring-Grove Avenue, provided the expense of laying and keeping in repair the said track, so far as used by different companies or individuals, shall be equally borne by all such companies, firms, or individuals that use the said tracks.

SEC. 6. The rates of fare shall be those proposed by the said the Cincinnati and Suburban Electric Street Railway Company, the said company having obtained and filed the written consents of a majority of the property-holders upon the street and part thereof represented by the feet front along so much of said route as has been heretofore unoccupied by a street railway to the construction and operation thereof, and such rates of fare being the lowest proposed as aforesaid, to-wit: Single cash fare five cents; children under six years of age free; packages of forty tickets one dollar; packages of twenty tickets fifty cents; packages of ten tickets twenty-five cents.

NO. 140. Passed November 20, 1891.

To require the Mt. Adams and Eden-Park Inclined Plane Railway Company to place watchmen on the line of its cable at the corners of Court and Broadway, Sixth and Broadway, Sixth and Walnut, Fifth and Walnut, and Fifth and Broadway.

Be it ordained by the Board of Legislation of Cincinnati:

That the Mt. Adams and Eden-Park Inclined Plane Railway Company be and it is hereby required to place watchmen on the lines of the cable railway at the intersections of Court and Broadway, Sixth and Broadway, Sixth and Walnut, Fifth and Walnut, and Fifth and Broadway, during all hours of the day and night when the said cable railway is running; and upon its failure to have and keep a watchman at any one of said corners the said railway company shall be fined in the Police Court of said city in any sum not exceeding fifty dollars for

each and every day when said cable road is in operation without a watchman at any one of said corners.

No. 154. Passed January 8, 1892.

To require the Cincinnati Street Railway Company to place watchmen on the line of its road at the corners of Elder and Elm streets and Elder and Vine streets.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Cincinnati Street Railway Company be and it is hereby required to place watchmen on the line of its road at the intersections of Elder and Elm streets and Elder and Vine streets during all hours of the day and night when the said road is running; and upon its failure to have and keep a watchman at any one of said corners the president of said railway company shall be fined in any sum not exceeding fifty dollars for each and every day when said road is in operation without a watchman at any of said corners.

No. 162. Passed January 22, 1892.

Providing for the operation of street railroads at certain intersecting streets, and making it a misdemeanor for any conductor, driver, gripman, or motorman to cross or turn certain intersections unless first signaled by a watchman stationed there for the purpose.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be and it is hereby made the duty of any street railroad company crossing the steam railroad at Rookwood-station intersection and at Delta-station intersection, crossing or turning the intersection of Sixth and Walnut streets, Fifth and Walnut streets, Fifth Street and Broadway, Sixth Street and Broadway, and Court Street and Broadway, or any of said corners, to have stationed at each of such corners or intersections so used by them a watchman, who shall signal to each car as it approaches any of said intersections or corners whether to proceed to cross or not; and no car shall cross or turn said corners or intersections, or any one of them, without first being signaled so to do by such watchman so located at such corner or intersection.

SEC. 2. That any conductor, driver, gripman, or motorman operating or running any street railroad car who runs any such car across or around any of the said corners or intersections without there being a watchman located at such corner or intersection, and without such watchman first signaling him so to do, shall be deemed guilty of a misdemeanor, and be subject to a fine not exceeding fifty dollars for each and every such offense.

NO. 212. Passed March 4, 1892.

Requiring safety guards to be attached to all street railroad cars operated by electricity or cable motive power.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful to operate any car upon any of the street railroad tracks of this city by electricity or cable power unless such cars shall have attached in front and on both sides of each and every car, whether operated singly or in trains, some approved safety guard device, designed to prevent persons from being run over by the wheels of the car. Any conductor, driver, or motorman operating any such car without such safety guard attached thereto shall be fined in a sum not exceeding fifty dollars or be imprisoned not more than thirty days, or both. Each day that any car is so operated contrary to the provisions of this ordinance shall be deemed and held to be a separate offense.

NO. 221. Passed March 11, 1892.

Making it unlawful for minors to get on or off of locomotives or steam or street railroad cars while in motion.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. It shall be unlawful for any minor under the age of fourteen to climb upon, jump on or off, or in any way attach himself to any locomotive engine, steam or street railroad car while in motion.

SEC. 2. Any conductor, engineer, or other person in charge of a locomotive, steam or street railroad car, who knowingly

suffers or permits such minor to climb upon, jump on or off, or attach himself to any such locomotive, steam or street railroad car while in motion, shall be fined not less than five dollars nor more than twenty-five dollars.

SEC. 3. Any such minor violating the provisions of the first section of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof be fined in a sum not more than twenty-five dollars.

NO. 312. Passed July 15, 1892.

Granting to Simeon M. Johnson the right to construct and operate Route No. 23 of street passenger railroads.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That Simeon M. Johnson and assigns be and hereby are authorized, and the grant is hereby made to him and assigns, to construct and operate Route No. 23 of street passenger railroads as established by an ordinance entitled "An ordinance, No. 50, to establish Route No. 23 of street passenger railroads," passed September 5, 1890.

SEC. 2. The said route shall commence at the junction of Central Avenue with Colerain Avenue; thence by double track northwardly over the approach provided for the bridge which crosses the Miami and Erie Canal to said bridge; thence by double track over said bridge and over the approach provided therefor in lots 207, 208, and 209 in Col. John Riddle's estate to Browne Street; thence by curved tracks crossing Browne Street to the east side thereof; thence east over private property to the south end of Fairview Avenue; thence by double track on Fairview Avenue from the south end thereof to Straight Street; thence by double track east on Straight Street to Clifton Avenue, the south track continuing easterly across Clifton Avenue, making a curve so as to extend in the sidewalk northerly as near the curb-line as practicable for safety in operating the cars while passing the telegraph and telephone poles and lamp-posts now located in said sidewalk, to the north corporation line of the city of Cincinnati; and the north track

in Straight Street shall curve north on the west sidewalk of Clifton Avenue so as to extend as near the curb-line as practicable for safety in operating the cars while passing the telegraph and telephone poles and lamp-posts now located in said sidewalk to the north corporation line of the city of Cincinnati. The right is granted to cross over Clifton Avenue with the tracks at the north corporation line. The number of tracks on each street shall be two, except where single tracks are specified in the sidewalk of Clifton Avenue.

SEC. 3. The motive power shall be either electricity or such other approved motive power as may come into general use, except on that portion of the line on private property on which an inclined plane shall be built and operated. The right to operate said route shall be for the period of twenty-five years from the date of the grant. The said Simeon M. Johnson is hereby authorized and empowered to erect in the sidewalk near the tracks hereby authorized to be laid the necessary supports for electric wires, and construct the necessary fixtures and appliances for the use of an electric system of motive power along said tracks in said streets. The entire work authorized hereby, including the reduction of the crowns of the streets where necessary, shall be done at the sole expense of Simeon M. Johnson, under the direction and to the satisfaction of the Board of Administration and its chief engineer. The tracks where constructed as ordinary double tracks shall be placed and maintained in the central portion of the streets at such a distance apart as to allow for the safe and convenient passage of cars thereon. The rail to be used in the construction of said tracks in the roadways of said streets shall be of the pattern known as the best "girder rail," subject to the approval of the Board of Administration, of weight not less than seventy pounds per yard. The supports of said electric system of motive power shall be of the best and most approved pattern, and no wires shall be placed across or over any street within less than twenty feet of the surface thereof.

SEC. 4. The construction of the line on the route shall be commenced within ninety days, and the entire route shall be completed and in operation within twelve months from the time the grant is awarded or this ordinance shall be void. And the grantee hereby consents to the reservation by the city of Cincinnati of the right to grant to any other person or persons, company or companies, hereafter the right to occupy and use any portion or all of the tracks, poles, wires, and all necessary appliances which are herein authorized to be placed in Clifton Avenue, between Straight Street and the north corporation line, and on condition that such persons, company, or companies shall use electric or other approved motive power for rapid transit, and first pay or tender an equal proportion of the cost of constructing such tracks, poles, wires, and necessary appliances, and furnish a proper obligation to pay an equal proportion of the cost of maintaining such tracks, poles, wires, and necessary appliances to the person or persons, company or companies, heretofore occupying said tracks; and in the event of the failure of the legal representatives of said various persons or companies using said road, and the other person or company obtaining the right to use such road, to agree upon the amount to be paid under the provisions of this section, the Board of Administration shall appoint an arbitrator to determine the same, whose decision, with the approval of said board, shall be final; and all expense of said arbitration shall be paid by the contracting parties; provided, however, that any grant of a second or further company to use such tracks shall be on condition that the cars run in the same direction as those of the grantee herein are or shall be run. Said Simeon M. Johnson and assigns shall erect and maintain suitable fences for the protection of pedestrian travel along the line of said street railroad tracks on Clifton Avenue whenever ordered to do so by the Board of Administration; the erection of such fences to be under direction and to the satisfaction of said board and its engineer.

SEC. 5. The owner shall pay into the city treasury at the

time of the commencement of the operation of the road, and annually thereafter on the first day of January, in advance, for and upon each car run by him the sum of four dollars per lineal foot of every such car, inside measurement; and in addition thereto the owner shall pay into the city treasury quarterly, on the first day of January, April, July, and October of each year, two and a half per cent of the gross earnings from every source of such company during the preceding quarter. All of such payments shall be made in the manner and under the conditions and subject to the penalties prescribed in Section 11 of an ordinance, No. 2954, providing for the construction, operation, and government of street railroads, passed February 7, 1879; and the owner shall accept under all the provisions of said ordinance No. 2954 and all the amendments thereof, except as herein otherwise expressly provided.

SEC. 6. The rates of fare, including passage over the inclined plane, shall be those proposed by the said Simeon M. Johnson, there having been obtained and filed the written consents of a majority of the property-holders upon each street and part thereof, represented by the feet front along said route, to the construction and operation thereof, except as to Warner Street, upon which the written consents have not been filed, but private property has been substituted therefor; and such rates of fare being the lowest proposed as aforesaid, to-wit: Single cash fare for adults five cents; single cash fare for children under ten years of age three cents; commutation tickets in packages of thirty for one dollar; commutation tickets in packages of fifteen for fifty cents; commutation tickets in packages of seven for twenty-five cents. And said Simeon M. Johnson, for himself and assigns, has agreed and does agree to carry all passengers who pay a cash fare of five cents the entire distance between Clifton and Fountain Square either way over said Route No. 23, by the way of either routes No. 1, No. 2, or No. 18 of street passenger railways of the city of Cincinnati, and this condition is made and accepted as an essential obligation to this grant.

No. 356. Passed August 26, 1892, and approved over Mayor's
disapproval September 30, 1892.

To provide for the extension of Route No. 2 of street passenger railroads, and also for the construction and use of an electric system of motive power along said route as extended.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That whereas the Cincinnati Street Railway Company, owning and operating Route No. 2 of street passenger railways, desires and has made application for permission to extend the tracks of said railway, and has produced to the Board of Legislation the written consents to the extension herein below authorized of the owners of more than one half of the front feet of lots and lands abutting upon the portions of streets along which it is proposed to construct tracks in making such extension:

Now, therefore, the tracks of said Route No. 2 are hereby authorized to be extended, and said Cincinnati Street Railway Company is hereby empowered and permitted to extend said tracks, as follows: From the east end of the Liberty-street Viaduct west along Liberty Street by double track to State Avenue; thence north along State Avenue by double track to Harrison Avenue; thence northwest along Harrison Avenue, occupying the present double track therein of said company, to Beekman Street; thence north along Beekman Street by double track to Queen-City Avenue, with the right to construct a temporary suitable trestle along said portion of Beekman Street for the operation of cars only, not vehicles, until such time as the fill for that portion of said street shall be made, but said company shall construct and maintain a suitable footwalk along one or both sides of said trestle, and shall be liable for all damages for which the city would otherwise be responsible for the construction and maintenance of said trestle, and shall hold the city harmless against such damages; thence continuing north along Beekman Street by double track to Western Avenue; thence northwest along Western Avenue, occupying the present double track of said company, to Baltimore Pike; and thence west along Baltimore Pike by double

track to the cemetery; with the privilege of constructing suitable curves at all angles in said proposed extension so as to make a continuous double track along the streets above mentioned from the point of beginning to said cemetery, and also a turntable or a crossover at the north end of said double track. In operating said extension tracks the cars running westwardly and northwardly from the point of beginning shall be conducted along the east and south tracks, and in returning they shall be conducted along the opposite tracks. No increase of rates of fare shall be made by reason of the extension herein authorized. The term of the grant of said extension shall be for a period of twenty-five years, and said extension shall be constructed and completed within six months from and after the date of the passage of this ordinance.

SEC. 2. Whereas said Cincinnati Street Railway Company desires to change the motive power now in use on the constructed portion of said Route No. 2, and also to adopt the same motive power for said extension, the Cincinnati Street Railway Company is hereby authorized and empowered to construct and operate along the present tracks of said route, and also along those hereby authorized as an extension of the existing tracks, an electric system of motive power, and to erect and construct in the sidewalks near the curb-lines of the streets wherein the tracks now are and are hereby authorized to be laid the necessary supports for electric wires, and string and maintain the necessary wires, and construct the necessary fixtures and appliances, for the use of a complete system of electric motive power along said proposed tracks in the streets aforesaid.

In order to supply the electricity required for the operation of the electric plant authorized by this ordinance, said company is hereby permitted to erect and maintain all necessary supports, wires, and appliances along the streets which will form the most direct and convenient line between the place where its power station shall be placed, or where it already has a power

station, and the line of electric wires so authorized to be constructed and used.

After so constructing and putting in operation said system of motive power, said company shall have the privilege of charging not to exceed a uniform rate of five cents for one continuous passage for one passenger in either direction over any portion or all of the line or route as the same is hereby extended, except that children under ten years of age shall be charged not exceeding three cents each, or not exceeding five cents for two of them (infants in arms free); and after so completing and putting in operation the electric system of motive power aforesaid, said company shall be released from any obligation to sell or receive package tickets for the carriage of passengers over any portion of said Route No. 2 or the extension thereof; and the term of the grant of said Route No. 2 shall be and the same is hereby extended for a period of twenty-five years from and after the date of the passage of this ordinance, on the following additional conditions:

(1) That the entire work hereby authorized, including the reduction of the crowns of streets where necessary, shall be done by said company at its sole expense, and under the direction and to the satisfaction of the Board of Administration and its chief engineer. That the extension tracks so authorized shall be placed and maintained in the central portion of the streets at such a distance apart as to allow for the safe and convenient passage of cars thereon, the same as double tracks are usually constructed. The rails used in the construction of said extension, together with those which shall be used for the original route, after constructing said electric plant, shall be of the pattern known as the "Johnson side-bearing rail" or the "girder rail," of weight not less than fifty-two pounds per yard on said original route, and not less than ninety-eight pounds per yard on said extension. That the supports of such electric system of motive power shall be metal, and of the best and most improved pattern, and no

wires shall be placed above and across any street within less than twenty feet of the surface thereof.

(2) That the electric plant herein authorized shall be completed within one year from the passage hereof. The said company shall pay for the cars run on the tracks herein mentioned and authorized car license at the rate of four dollars per lineal foot, inside measurement, and shall also pay two and one half per cent of the gross earnings from said railway route as hereby extended, according to the requirements of Section 11 of the ordinance providing for the construction, operation, and government of street railroads, passed February 7, 1879; and said company shall be subject to all the other provisions of said ordinance so far as consistent herewith. During the summer months the said company shall run a sufficient number of open or summer cars over the original route and the extensions of the same to meet the public convenience and accommodate those persons wishing to ride upon such cars. And provided further that cars shall run over said original route and the extensions of the same every five minutes each way from 6 o'clock A. M. until 9 o'clock A. M., and from 4 o'clock P. M. until 8 o'clock P. M., and a sufficient number and as frequently as the public convenience may demand at all hours; and that all cars shall be constructed of the latest and most improved pattern and finish, and shall be entirely new and fully equal to the new Avondale cars.

(3) That the Board of Legislation of the city of Cincinnati may grant the right to any other person, company, or corporation to run over so much of said Route No. 2, commencing at the corner of Liberty Street and Freeman Avenue; thence west on Liberty Street to over and along the viaduct to State Avenue; thence north on State Avenue to Harrison Avenue; thence northerly and westerly on Harrison Avenue to Beekman Street; thence northwardly on Beekman Street to the center line of Waverly Avenue—the portion of said route so named being hereby added to what is known as “free territory.” And all said company's poles, wires, and trolleys, and the electric

power and current therein along and over the said tracks, from said corner of Liberty Street and Freeman Avenue along Liberty Street westerly and northerly to Waverly Avenue, are and shall be subject to the reserved right of the city of Cincinnati, by its Board of Administration, to fix the price, terms, and conditions upon which the said tracks, poles, wires, trolleys, and electric power or current of said company or other owner thereof, or any part or parts thereof, may be run over, operated, and used by any other person, company, or corporation to whom may lawfully be granted the permission to operate street cars along said distance and streets herein above designated, in case any such grantee of permission and said company or other owner are unable to agree upon such price, terms, and conditions. The city also hereby expressly reserves to itself the right to grant to any other person, company, or corporation the right to support a separate system of electric motive power for the operation of cars upon said poles and wires in this ordinance authorized, at such price and upon such terms and conditions as the city by the Board of Administration shall fix, if the parties fail to agree, and to permit any other person, company, or corporation the privilege to construct tracks, erect and maintain along said distance its own separate system of poles, wires, trolleys, and electric motive power.

(4) Said company shall also, on demand on the car, transfer its passengers who have paid fare at the cash rate to and upon any and all other route or routes owned or operated by it, good going for one continuous passage in the direction of the car from which the transfer is taken and away from the starting-point.

(5) Said company shall execute and deliver to the Board of Administration a bond in favor of the city of Cincinnati in the penal sum of twenty-five thousand dollars, to the satisfaction of said board, conditioned for its faithful performance of all and singular the provisions of this ordinance.

No. 370. Passed September 16, 1892, and approved over Mayor's disapproval October 14, 1892.

To repeal an ordinance passed October 25, 1889, entitled "An ordinance to provide for the extension of Route No. 7 of street passenger railroads, and for the construction of an electric system of motive power along said Route No. 7 and upon a portion of Route No. 5, and to fix rates of speed on certain routes"; and to forfeit the franchises and rights of the Cincinnati Street Railway Company under and by virtue of said ordinance.

Whereas, The Cincinnati Street Railway Company owns and is operating an electric system of street passenger railways under and by virtue of an ordinance passed October 25, 1889, entitled "An ordinance to provide for the extension of Route No. 7 of street passenger railroads, and for the construction of an electric system of motive power along said Route No. 7 and upon a portion of Route No. 5, and to fix rates of speed on certain routes," and is obligated thereby to carry passengers and to run and operate its cars from Carrel Street in Columbia to the intersection of Elm Street and McMicken Avenue; and

Whereas, Said company is not now operating said route between said termini, but is turning off its cars at an intermediate point without any right or authority so to do: Therefore be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That said ordinance, passed October 25, 1889, entitled "An ordinance, No. 4286, to provide for the extension of Route No. 7 of street passenger railroads, and for the construction of an electric system of motive power along said Route No. 7 and upon a portion of Route No. 5, and to fix rates of speed upon certain routes," be and the same is hereby repealed; and all rights, privileges, and franchises granted to the Cincinnati Street Railway Company under and by virtue of said ordinance be and the same are hereby forfeited and held for naught.

SEC. 2. The corporation counsel is hereby directed to institute the necessary legal proceedings to enforce the provisions of this ordinance.

No. 418. Passed December 20, 1892.

To establish a street railroad route, No. 25, partly within and partly without the City of Cincinnati, designating the termini of said route within and without said city; the streets, parts of streets, public grounds and viaducts, private grounds, public roads and alternative with public roads, private grounds, both within and without said city, along which said route shall pass; where tracks shall or may be constructed, and where said route shall be operated upon tracks already constructed in portions of said route; and prescribing the character of construction to be made, and the terms and conditions upon which said route shall be operated, and to repeal Ordinance No. 395, passed November 18, 1892.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That a street passenger railroad route, No. 25, is established as follows: Beginning at the corner of Walnut and Fourth streets; thence by a curve of the westerly track in Walnut Street westerly into the northerly track in Fourth Street; thence along said northerly track westerly to and by a curve to the northerly into the easterly track in Vine Street; thence by said easterly track in Vine Street northerly to Court Street; thence by a curve, to be constructed, into Court Street to the westerly; thence in Court Street by a double track, to be constructed (whose southern track shall also by a curve, to be constructed, be connected southerly into the western existing track in Vine Street), westerly to and into Central Avenue, and by curves to southerly in Central Avenue, and thence in Central Avenue to and into Richmond Street by curves to westerly; thence westerly in Richmond Street to and into Carr Street by curves to southerly; thence in Carr Street southerly to and into Eighth Street by curves to westerly; thence in Eighth Street westerly to and across McLean Avenue. Also in the following alternatives as to the latter portion of said route as described:

First Alternative—Continuing westerly in Richmond Street, from the curves to southerly to and into Carr Street, above designated, by double track to and into Harriet Street by curves to southerly; thence in Harriet Street southerly to and into said aforementioned tracks in Eighth Street by curves to westerly.

Second Alternative—Continuing westerly in Richmond Street, from the curves to southerly to and into Carr Street,

above designated, by double track to Harriet Street; thence by single track as follows: Westerly along Richmond Street by single track to and into McLean Avenue by a curve to southerly; thence in McLean Avenue southerly by single track to and across Ninth Street, also out of the double track in Richmond Street into Harriet Street by single curve to southwesterly; thence in Harriet Street southerly by single track to and into Ninth Street by curve to westerly; thence in Ninth Street westerly by single track to and into McLean Avenue by curve to southerly; thence in McLean Avenue southerly by double tracks to and into the aforementioned tracks in Eighth Street by curves to westerly.

Third Alternative—Continuing westerly in Richmond Street, from the curves to southerly to and into Carr Street, above designated, by double track to and into McLean Avenue by curves to southerly; thence in McLean Avenue southerly by double tracks to and into the aforementioned tracks in Eighth Street by curves to westerly; thence by double track in Eighth Street westerly to and over the viaduct to be constructed therein; and thence in Eighth Street westerly to and into Glenway Avenue by curves to northerly; thence in and along Glenway Avenue by its course northerly and westerly to the corporation line of Cincinnati; thence westerly along the turnpike to and into Rapidrun Pike by curves to southerly; thence southwestwardly in said Rapidrun Pike to a point opposite the Eighth-street extension entrance to the new St. Joseph's Cemetery; thence southerly by curves to and into private property; thence southerly across said private property to and into said Eighth-street extension.

Also in the alternative as to the latter portion of said route, as described, by continuing westerly in the turnpike aforesaid, from the curves to southerly to and into Rapidrun Pike, above designated, by double tracks, to near the double toll-gate; thence in private property in the direction of said turnpike to a point at nearly right angles from the Eighth-street extension entrance to the new St. Joseph's Cemetery; thence southerly in private

property to and into said aforementioned tracks in Rapidrun Pike; thence easterly in and along said Eighth-street extension across the corporation line of Cincinnati and to Elberon Avenue of said city, and by curves southerly into said Elberon Avenue; and thence along it when constructed to and into State Avenue by curves to northerly; thence along State Avenue northerly to and into the aforementioned tracks in Eighth Street by curves to easterly, returning over the tracks and routes herein above described to the junction of Court and Vine streets; thence by the southern track in Court Street, by the curve therein above provided for, to south into the western track in Vine Street; thence by said western track now in Vine Street to and by the curve to easterly into the southerly track in Fountain Square; and thence easterly along said track to and into Walnut Street by the curve to southerly; and thence by the western track in Walnut Street to the place of beginning at the corner of Walnut and Fourth streets.

Also from the junction of said Richmond Street and Cutter Street by curves from said double track in Richmond Street to northerly into said Cutter Street, and therein northerly by double tracks to and into Wade Street by curves to westerly; and thence in Wade Street westerly to and into Denman Street by curves to northerly (with, however, but a single track along the center of Wade Street between Cutter Street and Freeman Avenue); thence in Denman Street to and into Liberty Street by curves to westerly.

Also in the alternative as to the latter portion of said route, as described, by curves from the aforesaid track in Cutter Street westerly into Clinton Street; thence westerly in Clinton Street to and into Freeman Avenue by curves to northerly; thence northerly in Freeman Avenue to and into Flint Street by curves to westerly; thence westerly in Flint Street to and into Denman Street by curves to northerly; thence northerly in Denman Street to Wade Street and the aforesaid tracks in Denman Street; thence along said tracks in Denman Street to and into Liberty Street by the curves aforesaid; thence along

Liberty Street westerly to the Liberty-street Viaduct; thence over said viaduct on tracks to be constructed; thence to and into State Avenue by curves to northerly; thence in State Avenue northerly to and into Harrison Avenue by curves to westerly; thence in Harrison Avenue westerly to Westwood Avenue; thence in Harrison Pike by curves to northerly; thence in Harrison Pike northwesterly to the corporation line across said pike, returning over the tracks and routes herein above described to the junction of Richmond and Cutter streets; thence by the tracks and routes herein above described to Walnut and Fourth streets, the place of beginning.

The termini of said route being respectively the corner of Fourth and Walnut streets, the corporation line across Harrison Pike, and the entrance of the new St. Joseph's Cemetery at Eighth-street extension in Delhi Township. And said railroad all to be constructed and operated as a double-track electrical street railroad, with either the single or double trolley method of operation; provided that in those parts of the route above described which are alternative the grantee of the right to construct and operate this route shall not, after the acceptance of one of said alternatives, be permitted to lay tracks in any other part of said route to which the alternative by him accepted applies; and provided further that in running over any viaducts along said route said grantee shall be compelled to use the rails and fixtures put thereon by the city of Cincinnati, if any, be subject to such rules and regulations and ordinances as may hereafter be established and adopted in reference to operating over same, and shall pay annually rental for the privilege of operating over same, to be hereafter fixed by ordinance of said city.

SEC. 2. All tracks constructed upon said route shall be laid parallel to the center line of the several streets and parts of streets in said route, and as near thereto as will permit the safe and usual passage of cars. All rails used in construction of tracks shall be of the pattern known as the best "girder" rail, subject to the approval of the Board of Administration

and its chief engineer ; and the supports of said electric system of motive power shall be of metal, and of the best and most improved pattern ; and no wires shall be placed above and across any street within less than twenty feet of the surface thereof, except under overhead bridges or other overhead construction. And wherever pavement or street surface is disturbed by the construction of tracks on said route, there the same shall be restored to like good condition as before disturbed by the grantee of the right to build such route, at his own sole expense, at the time of completing the construction of said tracks, the same to be done under the supervision and to the satisfaction of the Board of Administration and its chief engineer.

SEC. 3. In the following portions of said route—viz. : in Vine Street from Court Street to the southerly track in Fountain Square, over the double track therein, and thence along the single track along Fountain Square, Walnut, Fourth, and Vine streets to said double track at the said southerly track in Fountain Square, and in Liberty Street from Denman Street to the viaduct—the grantee of the right to construct and operate this route shall have the right to run cars over and along the existing tracks in the same direction in which cars are now run thereover, first agreeing with the owner of such tracks as to the terms and conditions of such use, or as shall be fixed by arbitration, as provided in the general ordinances of Cincinnati governing such cases, passed February 7, 1879. And in the following portions of said route where there are existing street railroad tracks—viz. : in Central Avenue, between Court and Richmond streets, a single track ; in Eighth Street, from Carr Street to the viaduct and from the viaduct to Glenway Avenue, a double track ; in State Avenue, from Eighth Street to Elberon Avenue, part way a double track and the balance of the distance a single track ; in Glenway Avenue, from Warsaw Pike to the corporation line, a double track ; on the Liberty-street Viaduct, and across said viaduct to State Avenue, a double track ; in Harrison

Avenue, from State Avenue to Westwood Avenue, a double track; in Freeman Avenue, from Clinton Street to Flint Street, a double track—the grantee of the right to construct and operate this route shall have the right to run cars, in the same direction in which cars are now run, over and along so much of any existing tracks therein as may by existing laws and ordinances be lawfully granted; first agreeing with the owner of any tracks so used as to the terms and conditions of such use; and failing in such agreement, the terms and conditions of such use shall be fixed by arbitration, as provided in said general ordinance; and in case of the inability of said grantee to obtain the right lawfully to use the whole or any part of any existing tracks in any street, avenue, or viaduct last aforesaid, or any part thereof, said grantee shall have the right in all or any part of said places and distances to construct and lay its own tracks in immediate juxtaposition to said existing tracks, except that in Central Avenue the tracks of said grantee shall be laid equidistant from the single track now existing in the center of said avenue, and at safe clearing distance from the same; and said grantee shall have the right to make any and all necessary connection between existing tracks so used and the tracks constructed by it as herein authorized; and with the consent of the owner of such existing tracks said grantee may substitute for such existing tracks other tracks of the kind provided to be laid under this ordinance, permitting the use thereof to the owner of the existing tracks.

SEC. 4. The cars upon said route shall be operated by electricity. The grantee of the right to construct, maintain, and operate said route shall have the right along the entire distance of said route to plant next to the curb-line in the sidewalks thereon the necessary poles to uphold and sustain the carrying- and feed-wires for a single or double trolley-wire over each of said tracks, and to construct and maintain over each of said tracks throughout the entire length of said route a single or double trolley-wire, with all the necessary fixtures

and appliances, none of its carrying-, trolley-, or feed-wires to be kept less than twenty feet above the face of tracks, except under overhead bridges or other overhead construction. Also the right shall be given said grantee to carry in any streets of said city, in the sidewalks next the curb-line, all necessary and convenient poles and feed-wires to its trolleys from its power station or stations; provided, however, that all mains, wires, or electrical conductors along any portion or all of said route, and along any portion of said route to the power station of said grantee, excepting trolley-wires with their necessary supporting and guard-wires, and the necessary connecting or supply-wires from the poles to the trolley-wires, shall, whenever it is deemed practicable by the Board of Administration, be placed in suitable conduits or subways under the surface of the streets by the grantee, its successors or assigns, in such a manner as not to unnecessarily interfere with the use of such streets for local improvements of any character, or with the sewers or water-mains or branches thereof; subject, however, to such restrictions and regulations as may be imposed in respect thereto by the Board of Administration. But before any street is opened for the purpose of laying such conduits or subways the said grantee shall file with the Board of Administration a complete map and plans of all subways, conduits, mains, manholes, and branches, showing all mains and branches and connections, and obtain thereof the approval of the Board of Administration. Provided further that all of said wires, poles, and supports shall be removed by the grantee upon order of the Board of Administration of said city as soon as an electrical system of operating street railways without overhead wires is, in the opinion of said board, in successful operation in any city in the United States. All motors used on said route shall be of not less than thirty-horse power, and each car not less than twenty-one feet in length, inside measurement, and of the latest and most improved designs and construction.

SEC. 5. All construction of tracks, poles, and wires, and the location thereof, to be under the supervision of the

chief engineer of the Board of Administration, and to the satisfaction and approval of such engineer and the Board of Administration.

SEC. 6. The grantee, successors, and assigns of the right to construct, maintain, and operate said route to be by the acceptance of the ordinance granting such right bound by every provision of the general ordinance regulating the construction and operation of street railroads in Cincinnati, passed February 7, 1879, except as herein otherwise provided; provided, however, that said grantee shall pay into the city treasury, at the time of commencing to operate its cars and annually on the first day of January, in advance, for and upon each car run by it over said route, the sum of four dollars per lineal foot of every such car, inside measurement, and in addition thereto it shall pay into the city treasury quarterly, on the first day of January, April, July, and October of each year, two and a half per cent of the gross earnings from every source of such grantee during the preceding quarter on said route and all its connecting lines, whether within or without the corporate limits of Cincinnati, at any time operated in connection with said route for the fare authorized by the ordinance hereafter to be passed making the grant for this route; provided that whenever any payment for percentage on gross earnings for such connecting line has been made to the city under any ordinance governing such connecting line, such payment, so far as it is for receipts from travel over this route in conjunction with the connecting line and for the rate of fare authorized under the grant of this route, shall be deducted from the amount so paid under this ordinance.

SEC. 7. All new tracks constructed under this grant shall be subject to the right which is hereby expressly reserved by the city of Cincinnati lawfully to permit any other person, company, or corporation to run cars over any part of the same, on such equitable terms and conditions as said city, by proper ordinance, shall fix, in case the owners of such new tracks fail to agree with the grantee of such right on such terms and

conditions, and said city, by its Board of Legislation, shall have determined that such joint use is to the public interest; and the grantee, its successors and assigns, of such right to construct, maintain, and operate said route shall by acceptance of this ordinance granting such right be bound by this condition, and held thereby to waive all right to demand condemnation of its property rights in and to said tracks.

SEC. 8. The work of construction on said route shall be begun within thirty days after the grant of permission hereunder is made, and the entire construction shall be completed and said route in operation within six months after said grant is made; provided that the portion of the route over Eighth-street Viaduct, Eighth Street from McLean to State Avenue, and on Elberon Avenue and Eighth-street extension, may be completed within sixty days after said viaduct is completed and Elberon Avenue and Eighth-street extension are graded and fit for occupation by tracks; and provided further that any delay of grantee by legal proceedings shall not be counted against his time of construction or completion under such grant.

SEC. 9. All cars shall run continuously on the Harrison-pike portion of said route from Walnut and Fourth streets to the corporation line on Harrison Pike in each direction, and all cars shall run continuously on the Price-Hill portion of said route from Walnut and Fourth streets to the terminus at the new St. Joseph's Cemetery in each direction; and till the completion of said entire route crossover tracks may be used to permit operation of said route so far as constructed at each terminus thereof, and on each side of any legal or actual obstruction to further operation. At Richmond and Cutter streets and State Avenue and Eighth Street, where said route divides, transfers shall be furnished each passenger demanding the same upon the cars in either direction, so that a passenger may pursue his journey continuously to any part of said route for a single fare. Over the entirety of said route, when completed, cars shall be run in each direction as often as the public good demands, and at intervals of not more than one hour between the hours

of 12 o'clock midnight and 6 o'clock A. M. Open cars shall be run in warm and closed cars heated in cold weather.

SEC. 10. Sealed proposals shall, in accordance with law, be advertised for to construct and operate said street railroad under and in accordance with the provisions of this ordinance, and the city clerk shall be directed to advertise for sealed proposals to construct and operate said street railroad at the lowest rate of fare, in accordance with the terms, conditions, and stipulations of this ordinance. Proposals to specify the rates of single cash fare, the number of commutation tickets in packages to be sold for one dollar, the number of commutation tickets in packages to be sold for fifty cents, and the number of commutation tickets in packages to be sold for twenty-five cents, to be addressed to the Board of Administration, and opened by them at a day and hour to be named in the advertisement. Each bidder shall accompany his bid with a good and sufficient bond, to the satisfaction of the Board of Administration, in the sum of twenty-five thousand dollars, as liquidated damages, that he or they will, if awarded the said grant, enter into a contract therefor within ten days from and after the passage of the ordinance granting such right, and give bond for its faithful performance, as hereinafter provided. Said grant shall be made only to the corporation, individual, or company that shall bid to carry passengers on said proposed route at the lowest rate of fare aforesaid, and shall accompany such bid with such bond aforesaid, and shall have previously obtained and filed the written consent of property-holders, as required by law. And said grant shall be for the term of twenty-five years from and after the date of the awarding of the same.

SEC. 11. At the time of entering into said contract, as above provided for, the individual, company, or corporation to whom the said grant shall be made shall enter into a good and sufficient bond, to the satisfaction of the Board of Administration, in the sum of fifty thousand dollars, as liquidated damages, conditioned that he, they, or it will faithfully comply

with the terms and conditions of this ordinance and the grant and contract made in pursuance thereof. In case the individual, company, or corporation to whom such grant shall be made shall refuse or neglect to enter into said contract, or to give such bond to faithfully comply with the terms and conditions of this ordinance and the grant and contract made in pursuance thereof as above provided, it shall be competent by ordinance to award the said grant to the next lowest bidder at said original bidding, who shall enter into said contract and give said bond; and in case of like neglect or refusal of such next lowest bidder, then to award the same to the next lowest bidder; and so on, without further bidding, until said grant shall have been awarded to a bidder who shall enter into said contract and give said bond.

SEC. 12. That Ordinance No. 395, passed November 18, 1892, and entitled "An ordinance, No. 395, to establish a street railroad route, No. 25, partly within and partly without the city of Cincinnati, designating the termini of said route within and without said city; the streets, parts of streets, public grounds and viaducts, private grounds, public roads and alternative with public roads, private grounds both within and without said city, along which said route shall pass; where tracks shall be constructed, and where said route shall be operated upon tracks already constructed in portions of said route; and prescribing the character of construction to be made, and the terms and conditions upon which said route shall be operated"—be and the same is hereby repealed.

NO. 438. Passed January 20, 1893.

To require all street railroad companies owning and operating street railroads within the City of Cincinnati to equip their closed cars with heating apparatus and appliances.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That all street railroad companies owning and operating street railroads within the city of Cincinnati be required to furnish and equip all their closed cars with heating apparatus and appliances during the winter season.

SEC. 2. Any conductor, driver, or motorman having charge or control of any street railway car upon any of the street railroads of this city which runs over the line of any street railway without being furnished and equipped with such heating apparatus and appliances shall be deemed guilty of a misdemeanor, and fined in any sum not less than ten nor more than twenty-five dollars; and each day such car is run in violation of this ordinance shall be considered a separate and distinct offense.

NO. 447. Passed January 27, 1893.

To compel the Cincinnati Street Railway Company to run cars on Route No. 18 at intervals of not more than one hour between 12 o'clock midnight and 6 o'clock A. M.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Cincinnati Street Railway Company be compelled to run cars on Route 18 of said company at intervals of not more than one hour between 12 o'clock midnight and 6 o'clock A. M.

SEC. 2. The violation of the provision of the above ordinance shall be a misdemeanor, and the president or secretary or superintendent of said Cincinnati Street Railway Company shall, upon conviction thereof in the Police Court, pay a fine of not more than twenty-five dollars nor less than ten dollars, and each night's violation of this ordinance shall be a distinct offense, and shall be punishable accordingly.

NO. 448. Passed January 27, 1893.

To require all street railroad companies owning and operating street railroads within the City of Cincinnati to run open cars during the summer season.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That all street railroad companies owning and operating street railroads within the city of Cincinnati be required to run a suitable number of open cars during the summer season.

SEC. 2. That the manager, superintendent, or president of any such street railway company who fails to comply with the provisions of this ordinance shall be deemed guilty of a misdemeanor, and fined in any sum not less than ten nor more than twenty-five dollars; and each day such cars are run in violation thereof shall be considered a separate and distinct offense.

NO. 498. Passed March 24, 1893.

To supplement Clause 8 of Section 18 of an ordinance entitled "An ordinance providing for the construction, operation, and government of street railroads," passed February 7, 1879.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That Clause 8 of Section 18 of Part Third of an ordinance entitled "An ordinance providing for the construction, operation, and government of street railroads," passed February 7, 1879, be and the same is hereby supplemented with numbering as follows:

Clause 8-a—That the company, individual, or association of individuals operating routes No. 2, No. 9, No. 10, No. 16, and No. 18, the Cincinnati and Clifton Incline Plane Railroad, and the Cincinnati and Spring-Grove Avenue Street Railway, and all extensions of any of said routes, shall run its cars on said routes from 6 o'clock A. M. until 8 o'clock A. M. and from 4 o'clock P. M. until 7 o'clock P. M. at intervals of not more than three minutes apart, and at all other hours up to 12 o'clock midnight at intervals of not more than five minutes apart; and in the construction of this section, if it be held by the court that as to any one or more of such routes the provisions hereof are invalid, such invalidity shall not affect the validity of the provisions as to the remaining routes.

SEC. 2. That for each and every violation of the provisions and requirements of this ordinance the company, individual, or association operating any of said routes shall be fined in a sum not less than ten dollars, to be recovered by an action brought before a magistrate or other court of competent jurisdiction in

the name of the city of Cincinnati and for its use; and the operation of each car upon any of said routes in violation of the provisions of this ordinance shall be deemed a distinct and separate offense.

SEC. 3. The right is reserved to the Board of Legislation, from time to time, by ordinance to determine the intervals at which cars shall run upon any street railroad route now or hereafter established.

No. 499. Passed March 24, 1893.

To amend Clause 8 of Section 18 of an ordinance entitled "An ordinance providing for the construction, operation, and government of street railroads," passed February 7, 1879.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That Clause 8 of Section 18 of Part Third of "An ordinance providing for the construction, operation, and government of street railroads," passed February 7, 1879, be and the same is hereby amended so as to read as follows: That the company, individual, or association of individuals operating routes Nos. 1, 4, 5, 7, 13 and 15, 21, 22, 23 and 24, and the Storrs and Sedamsville Street Railroad, shall run cars on any of said routes and all extensions of any of said routes from 6 o'clock A.M. until 8 A.M. and from 4 o'clock P.M. until 7 P.M. at intervals of not more than three minutes apart, and at all other hours up to midnight at intervals of not more than five minutes apart; and in the construction of this section, if it be held by the court that as to any one or more of such routes the provisions hereof are invalid, such invalidity shall not affect the validity of the provisions as to the remaining routes.

SEC. 2. That for each and every violation of the provisions and requirements of this ordinance the company, individual, or association operating any of said routes shall be fined in a sum not less than ten dollars, to be recovered by an action before a magistrate or other court of competent jurisdiction brought in the name of the city of Cincinnati and for its use; and the operation of each car upon any of said routes in viola-

tion of the provisions of this ordinance shall be deemed a distinct and separate offense.

SEC. 3. The right is reserved to the Board of Legislation, from time to time, by ordinance to determine the intervals at which cars shall run upon any street railroad route now or hereafter established.

SEC. 4. That said original Clause 8 of Section 18 of Part Third of an ordinance entitled "An ordinance providing for the construction, operation, and government of street railroads," passed February 7, 1879, be and the same is hereby repealed.

No. 497. Passed March 31, 1893.

To repeal an ordinance passed March 19, 1880, entitled "An ordinance to provide for the extension of the Cincinnati and Spring-Grove Avenue Street Railway Company," and an ordinance passed May 6, 1887, entitled "An ordinance to provide for the extension of Spring-Grove Avenue Street Railway tracks," and to forfeit the franchises and rights of the Cincinnati Street Railway Company in the Cincinnati and Spring-Grove Avenue Street Railway route and all its connections.

Whereas, The Cincinnati Street Railway Company owns and operates a street railroad known as Cincinnati and Spring-Grove Avenue Street Railway and its extension, under and by virtue of an ordinance passed March 19, 1880, entitled "An ordinance to provide for the extension of the Cincinnati and Spring-Grove Avenue Street Railway Company," and an ordinance passed May 6, 1887, entitled "An ordinance to provide for the extension of the Spring-Grove Avenue Street Railway tracks," and is obligated thereby to run and operate a sufficient number of cars to meet the necessities of the public, and to operate cars continuously without change from one end of said route and extensions to the other; and

Whereas, Said company is not now and has not for a long time past operated a sufficient number of cars on said route and its extensions to meet the necessities of the public, and has not operated its cars continuously on said route and its extensions without change from one end of the same to the other: Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That said ordinance entitled "An ordinance to provide for the extension of the Spring-Grove Avenue Street Railway Company," and said ordinance entitled "An ordinance to provide for the extension of the Spring-Grove Avenue Street Railway tracks," be and the same are hereby repealed, and all rights, privileges, and franchises granted to the Cincinnati and Spring-Grove Avenue Street Railway Company or its successor, in title the Cincinnati Street Railway Company, under and by virtue of said ordinances and under its original grants from the Cincinnati and Spring-Grove Avenue Company in Spring-Grove Avenue, and in any other streets and highways of the city, be and the same are hereby forfeited and held for naught.

SEC. 2. The corporation counsel is hereby directed to institute the necessary legal proceedings to enforce the provisions of this ordinance.

NO. 546. Passed June 9, 1893.

Granting permission to Albert L. Johnson, C. E. Grover, Fred. Hempy, L. A. Russell, and Frank N. Wilcox, their successors or assigns, to construct, maintain, and operate for the period of twenty-five years a double-track electric street railroad upon Street Railroad Route No. 25, duly established by Ordinance No. 418, passed December 20, 1892, partly within and partly without the City of Cincinnati; designating the termini of said route; the streets, parts of streets, grounds and places, public and private, and viaducts along and upon which the tracks of such street railroad shall and may be constructed, maintained, and operated; providing where existing tracks upon parts of said route may be run over and operated upon by the grantees, their successors or assigns, of this ordinance; and fixing the terms and conditions upon which such grantees, their successors or assigns, shall and may construct, maintain, and operate said street railroad route during said term.

[This lengthy ordinance is not printed in this connection, for the reason that it was annulled by decision of the Circuit Court (Wm. C. Compton *ex rel.* v. Albert L. Johnson *et al.*, 9 Ohio State Circuit Court Reports, 532). The ground taken was that the bid of Orris P. Cobb was a valid bid, and was lower than that of the parties to whom the ordinance proposed to award the right; and therefore injunction was granted, and remains in full force to this date. The new route passed into the control of the Cincinnati Street Railway Company by action of the Board of Administration extending Route No. 18 under the powers conferred upon that body as to street railroads in Cincinnati by the General Assembly.]

A RESOLUTION. Passed July 28, 1893.

Regarding Liberty-street tracks.

Whereas, There are two street railroad tracks on Liberty Street between Elm Street and Central Avenue, and the use of the south one of said tracks has been abandoned by the Cincinnati Street Railway Company for nearly five years; and

Whereas, The Board of Legislation by resolution has requested the Cincinnati Street Railway Company to forthwith remove said track, and restore the street to good repair, as it is required to do by the ordinances of the city:

Therefore be it resolved, That the Board of Administration be directed to forthwith cause said track to be removed, and that the expense of said removal and restoration of the street to good repair be collected from the Cincinnati Street Railway Company.

NO. 665. Passed November 3, 1893.

To require the Cincinnati Street Railway Company to place a watchman on the line of its road at the crossing of Elder and Elm streets.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Cincinnati Street Railway Company be and is hereby required to place a watchman on the line of its road at the intersection of Elder and Elm streets during market-hours.

SEC. 2. The owner or operator of said street railway company violating the provisions of the first section of this ordinance shall be fined in the sum of fifty dollars per day, which may be recovered in a civil suit brought by said city against such owner or operator of said street railway, or upon conviction in the Police Court the owner or operator violating the provisions of the first section of this ordinance shall be fined in any sum not exceeding fifty dollars per day nor less than twenty-five dollars per day, or imprisoned in the Work-house for a term not to exceed thirty days nor less than ten days, or both; and each day said cars are run in violation

of the provisions of the first section of this ordinance shall constitute a separate and distinct offense.

NO. 691. Passed December 1, 1893.

To prevent the obstruction of street railroads.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That it shall be unlawful for any person or persons to place any dummy, stuffed suits, or other obstruction upon any street, cable, or electric railway, or in any way to obstruct the passage of such cars in motion by running in front of and "cutting off" the same; and any person or persons violating the provisions of this ordinance shall be fined in any sum not exceeding twenty-five nor less than ten dollars.

NO. 692. Passed December 1, 1893.

To punish minors for getting on or off street railroad cars while in motion, and obstructing street railroads.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That it shall be unlawful for any minor under fourteen years of age to get on or off any street, cable, or electric car while in motion; and any minor violating the provisions of this section shall be fined in any sum not exceeding ten dollars.

NO. 863. Passed December 7, 1894.

To require the Cincinnati Street Railway Company to station a watchman at the intersection of Freeman Avenue and Liberty Street, and to cause him to remain on duty there every day in the week, except Sunday, from 8 o'clock A. M. until 6 o'clock P. M.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That the Cincinnati Street Railway Company be and it is hereby required to station a watchman on the line of its roads at the intersection of Freeman Avenue and Liberty Street, and to cause him to remain on duty there every day in

the week, except Sunday, from 8 o'clock A. M. until 6 o'clock P. M. for the protection from collision with the cars of said company of human beings and animals crossing Freeman Avenue and Liberty Street at the point named.

SEC. 2. The owner or operator of the roads of the Cincinnati Street Railway Company violating the provisions of the first section of this ordinance shall be fined in the sum of fifty dollars per day, which may be recovered in a civil suit brought by said city against such owner or operator of the roads of the Cincinnati Street Railway Company, or upon conviction in the Police Court of the city of Cincinnati the owner or operator aforesaid violating the provisions of the first section of this ordinance shall be fined in any sum not exceeding fifty dollars per day nor less than twenty-five dollars per day, or imprisoned in the Workhouse for a term not to exceed thirty days nor less than ten days, or both; and each day said cars are run in violation of the provisions of the first section of this ordinance shall constitute a separate and distinct offense.

No. 1003. Passed November 15, 1895.

To require the various street railway companies operating within the limits of the City of Cincinnati to provide all cars operated by electricity or cable with suitable fenders for the protection of life and limb.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That within ninety days after the passage of this ordinance it shall be unlawful for any passenger street railway company propelling its cars by electricity or cable to run the same through the streets and avenues of the city of Cincinnati, unless each car is provided with a safety guard or fender of the most approved and successful kind, and constructed in such a way as to protect life and limb of any person who may come in contact with said car.

SEC. 2. The owners or operators of said street railway companies, in case of the neglect or refusal of said companies to comply with the provisions of the first section of this ordinance

within the specified time, shall be subject to a fine of ten dollars per day for each day that each car may be run ; and if the violation shall continue after a period of thirty days shall have elapsed after the expiration of the ninety days' limit, an additional penalty of forty dollars per car per day shall be imposed. It shall be the duty of the police department to see that the provisions of this ordinance are enforced.

NO. 1071. Passed June 12, 1896.

To require all street cars owned and operated within the City of Cincinnati to be equipped with illuminated signs designating the route over which the said cars run.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That all street cars owned and operated by any street railway company within the limits of the city of Cincinnati are hereby required to be furnished and equipped with an illuminated sign, to be displayed at night, designating, in letters of a size to be plainly read at a distance of not less than one hundred feet, the route over which said cars run.

SEC. 2. Any conductor, driver, or motorman having charge or control of any street railway car upon any of the street railways of the city of Cincinnati, and any manager, superintendent, or president of any street railway company owning a car not equipped with an illuminated sign as provided in this ordinance, shall upon conviction thereof be deemed guilty of a misdemeanor, and fined in any sum not less than ten dollars nor more than twenty-five dollars ; and each time such car is run on any trip within the city shall be considered a separate and distinct violation of this ordinance, and a separate and distinct offense.

No. 103. Passed December 6, 1897.

To amend Sections 1 and 2 of an ordinance entitled "An ordinance to provide for the regulation and collection of all moneys payable to the city by street railway owners," passed February 24, 1882.*

Be it ordained by the Board of Legislation of Cincinnati:

That sections 1 and 2 of an ordinance entitled "An ordinance to provide for the regulation and collection of all moneys payable to the city by street railway owners," passed February 24, 1882, be and the same are hereby amended so as to read as follows:

SEC. 1. The owners of street railway lines who are required to pay money into the city treasury by the terms of any statute, ordinance, or contract under which they are operating such lines, shall pay all car licenses to the city treasurer upon certificate of the auditor, stating the amount of money required by law to be paid therefor, said certificate to be delivered to the treasurer, who shall upon receipt of the money stated therein give a certificate of payment, stating the amount of money paid, said certificate of payment to be presented to the auditor, who thereupon shall issue his receipt, retaining the treasurer's certificate of payment as his voucher therefor; and all percentages of earnings or other compensations due or hereafter to become due to the city of Cincinnati from said owners of street railways, by the terms of any statute, ordinance, or contract under which they are operating their lines, are hereby required to be paid to the city treasurer, upon certificate from the city auditor, in the same manner as that provided for the payment of car licenses; and the city auditor shall keep a book account with said owners, and each of them, which at all proper times shall be open to inspection; and if not paid as required the auditor shall notify the mayor of such failure.

SEC. 2. The auditor shall on the receipt of such moneys place all street car licenses to the credit of the General Fund, and all percentages of earnings to the credit of the Street

*See Coppock and Hertenstein, page 542.

Railroad Percentage Fund, to be used by the Board of Administration as provided in Section 11 of the general street railway ordinance.

NO. 104. Passed December 6, 1897.

To amend Section 11 of an ordinance entitled "An ordinance providing for the construction, operation, and government of street railroads," passed February 7, 1879.*

Be it ordained by the Board of Legislation of Cincinnati:

That Section 11 of an ordinance entitled "An ordinance providing for the construction, operation, and government of street railroads," passed February 7, 1879, be and the same is hereby amended so as to read as follows:

SEC. 11. The owner of each street railroad shall pay into the city treasury at the time of acceptance, and annually thereafter on the first day of January, in advance, for and upon each and every car run by such owner, the sum of four dollars per lineal foot of every such car, inside measurement, and such payment shall be a condition precedent to the right to operate the road; and if not paid within ten days after due, the mayor shall have the right summarily to stop the running of the cars, and in the event of such stoppage no liability for damage shall accrue; and in addition thereto any person or company accepting hereunder shall pay, under the same condition and subject to the same penalty, into the city treasury quarterly, on the first days of January, April, July, and October of each year, five per cent of the gross earnings from every source of such company during the preceding quarter, to be applied to the cleaning and repair of the streets of the city; and the Board of Administration, Board of Legislation, or city auditor shall at any time have the right of access to the books of the company by any agent they or he may designate for that purpose, in order to ascertain the amount of such gross earnings, and it shall be the duty of the city auditor to make such examinations

* See Coppock and Hertenstein, page 535.

for investigations in the months of January and July of each year, in order to ascertain the amount of such gross earnings, and report the result of such investigation or examination to the Board of Legislation.

NO. 850. Passed June 2, 1902.

To provide against the obstruction of street cars in transit, and for the protection of passengers and operatives.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That street cars carrying passengers only shall be entitled to the right of way over their respective routes, and if any person shall willfully and unnecessarily obstruct or impede the passage of such street cars with a vehicle, vehicles, or otherwise, or in any manner molest or interfere with passengers or operatives while in transit, such person shall be deemed guilty of a misdemeanor, and upon conviction thereof by the Police Court shall be fined in a sum not exceeding fifty dollars for each offense and the costs of prosecution.

NO. 139. Passed September 14, 1903.

To substitute one per cent of the gross receipts of the Cincinnati Traction Company in lieu of car-license fees.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That said city hereby agrees with the Cincinnati Traction Company, a corporation operating the street railway routes of the Cincinnati Street Railway Company in said city, that in lieu of car-license fees provided for and exacted under existing grants made to said the Cincinnati Street Railway Company or said the Cincinnati Traction Company, or both, there be hereafter paid quarterly by said traction company, commencing with the quarter beginning on the first day of October, 1903, and thereafter, during the life of said grants, an additional percentage upon the gross receipts of said company of one per cent per annum; and that the payment of car-license fees as heretofore made be, after the substitution of said additional percentage of gross receipts, discontinued.

SEC. 2. That the Cincinnati Traction Company having paid certain sums as car-license fees in advance for the year 1903, so much of said sums as represents three fourths of the amount of car-license fees due and payable for the year 1903 be received, accepted, and credited as car-license fees for nine months of said year under existing grants; and any amounts in addition thereto necessary to make up the payment of three fourths of the license fees for the year 1903 shall be paid by the traction company and credited as such license fees; that any sums paid as car-license fees in addition to the three fourths due and payable for the year 1903 shall be received, accepted, and credited as payment of the additional one per cent of gross receipts for the months of October, November, and December, 1903; and the traction company shall pay to the city whatever sum may be necessary in addition to such credits to equal one per cent of the gross receipts for the quarter ending December 31, 1903. And the payment of three fourths of the license fees for the year 1903, and of the additional one per cent upon the gross earnings for the last quarter of the year 1903, shall release the traction company from the payment of one fourth of the license fees for said year.

SEC. 3. That the Cincinnati Traction Company shall cause to be dismissed the petition in error filed in the Supreme Court of Ohio, in the case of the Cincinnati Street Railway Company v. The City of Cincinnati, No. 7071 on the docket of said court, and shall pay to the city the judgment rendered in the case of the City of Cincinnati v. The Cincinnati Street Railway Company, No. 46,106 on the docket of the Superior Court of Cincinnati, with interest thereon to the date of payment.

SEC. 4. This ordinance shall take effect upon the consent thereto of the mayor of the city of Cincinnati and the filing of the written acceptance thereof with the clerk of this Council by said the Cincinnati Traction Company.

No. 191. Passed October 26, 1903.

To change the Mulberry Route of street railways.

Whereas, The Cincinnati Traction Company has applied to the Council of the city of Cincinnati for permission to change the street railway route in said city known as the Mulberry Route; and whereas the Council considers said change advisable: Now, therefore, be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That it is deemed to be to the benefit, convenience, and advantage of the public that the street railway route known as the Mulberry Route be changed so that the cars operated over that route will run on Main Street south to Fourth, Fourth to Walnut, Walnut to Fifth, and Fifth to Main, instead of on Main to Court, Court to Walnut, Walnut to Fifth, and Fifth to Main, and Council hereby agrees to said change of route, and that said change be and the same is hereby made.

SEC. 2. This ordinance shall take effect upon the approval of the same by the mayor and the filing of the acceptance thereof by the Cincinnati Traction Company.

LEASE OF CINCINNATI STREET RAILROADS.

RESOLVED, THAT THE CONSENT OF THE CITY OF CINCINNATI IS HEREBY GIVEN TO THE CINCINNATI STREET RAILWAY COMPANY TO LEASE ITS ROAD, PROPERTY, RIGHTS, AND FRANCHISES TO THE CINCINNATI TRACTION COMPANY, AND TO THE OPERATION OF THE SAME IN ACCORDANCE WITH A FORM OF LEASE THIS DAY FILED WITH THE CLERK OF THE BOARD OF PUBLIC SERVICE AND THE CITY CLERK. PROVIDED, HOWEVER, THAT NOTHING HEREIN CONTAINED SHALL OPERATE TO RELEASE THE CINCINNATI STREET RAILWAY COMPANY FROM ANY OF ITS OBLIGATIONS TO THE CITY.

Adopted by Board of Legislation February 18, 1901.

STEAM RAILROADS.

NO. 4323. Passed January 29, 1890.

To provide for the erection of safety gates at Third and Eggleston Avenue and at Fifth and Eggleston Avenue.

Be it ordained by the Common Council of Cincinnati:

That the Little Miami Railroad Company shall, for the safety of vehicles and pedestrians crossing their tracks, erect safety gates at the following points: One on the east side of Eggleston Avenue at the intersection of Third Street; one on the west side of Eggleston Avenue at the intersection of Third Street; one on the east side of Eggleston Avenue at the intersection of Fifth Street; and one on the west side of Eggleston Avenue at the intersection of Fifth Street.

NO. 4357. Passed March 7, 1890.

Authorizing the Cincinnati, Hamilton & Dayton Railroad Company to lay tracks across Freeman Street.

Be it ordained by the Common Council of Cincinnati:

SEC. 1. That permission and authority are hereby granted to the Cincinnati, Hamilton & Dayton Railroad Company to lay five tracks for railroad purposes across Freeman Street at different points, as indicated on the plan or drawing hereto attached, between George Street and the present tracks of the said Cincinnati, Hamilton & Dayton Railroad Company.

SEC. 2. Said tracks shall be constructed under the direction and to the satisfaction of the chief engineer of the Board of Public Affairs of the said city, and shall be so constructed as not to interfere with the ordinary use or drainage of the said street.

SEC. 3. Safety gates shall be by said Cincinnati, Hamilton & Dayton Railroad Company erected and maintained on both sides of its said tracks where they cross Freeman Street.

SEC. 4. The said railroad company shall lay and maintain between the rails and within two and a half inches thereof, for the full width of the street-crossings, a planking of sound oak plank, securely spiked to the crossties, said plank to be of the same thickness as the depth of the rail, so that the surface of the planking shall be flush with the top of the rail, and an oak plank not less than four inches wide and of the same thickness as that between the rails shall be firmly spiked to the crossties against the outer edge of both rails flush with the top thereof throughout the entire length of the street occupied by said tracks. The railroad company shall raise or lower their tracks at their own expense to conform with any change of grade that may be made in said street at said point where it crosses the same.

NO. 4358. Passed March 26, 1890.

To require the Little Miami Railroad, and the Pittsburg, Cincinnati & St. Louis Railway Company, its lessee, to construct and maintain a wall or iron fence between its tracks and the street roadway on East Front Street.

Be it ordained by the Common Council of Cincinnati :

That the Little Miami Railroad, and the Pittsburg, Cincinnati & St. Louis Railway Company, its lessee, be required, within sixty days from the passage of this ordinance, to construct and forever maintain a substantial wall or iron fence between its tracks and the paved street along the line of the roadway on the south side of East Front Street, from Washington Street westwardly to a point two hundred feet east of the intersection of Pearl and Front streets, except that at the intersection of Whittaker, Collord, and Parsons streets gates shall be maintained to allow for the passage of the public; that such wall or fence, as may be decided upon by the Board of Public Affairs, shall be constructed under the direction and to the satisfaction of the city engineer.

NO. 19. Passed June 20, 1890.

To require the Cincinnati, Hamilton & Dayton Railroad Company to keep a watchman during the night at its crossing at Harrison Avenue and at Queen-City Avenue.

Be it ordained by the City Council of Cincinnati:

SEC. 1. That the Cincinnati, Hamilton & Dayton Railroad Company shall station and keep during the night-time, from 6 o'clock P. M. to 6 o'clock A. M., a watchman at the point where the tracks of the said company cross Harrison Avenue, and that the said company shall also station and keep a watchman at the point where its tracks cross Queen-City Avenue.

SEC. 2. If the superintendent, trainmaster, or transportation-master of the aforesaid company, whose duty it is hereby made to see that a watchman is stationed at the said crossings, shall fail or neglect to station and keep a watchman at each of said crossings, either or all of them shall, upon conviction in the Police Court, be fined in any sum not less than ten nor more than twenty-five dollars for each and every night said officers shall so fail.

NO. 73. Passed November 7, 1890.

Authorizing the S. Obermayer Foundry Supply Manufacturing Company to lay a railroad track across Evans Street, south of Eighth Street.

Be it ordained by the City Council of Cincinnati:

That permission be and the same is hereby granted to the S. Obermayer Foundry Supply Manufacturing Company to lay a railroad track from their foundry, on the west side of Evans Street south of Eighth, across Evans Street to their warehouse, on the east side of said Evans Street, subject to the following terms and conditions :

1. That said track must be laid under the direction and supervision of the chief engineer of the Board of Public Improvements.

2. That said company shall execute a bond to the city of Cincinnati, in the sum of ten thousand dollars, to save

the city harmless from any damages by reason of the laying of said track across said Evans Street, and conditioned further to restore the said street to its present condition, and to keep the said street in good order of repair between said tracks.

3. The said track shall be subject to removal at any time by order of the Board of Public Improvements or of the City Council, and the said the S. Obermayer Foundry Supply Manufacturing Company, within two weeks after receiving notice so to do from the said Board of Public Improvements or of the City Council, shall remove said track from said street and restore the said street to good repair, or the city may remove the track at the expense of said company.

NO. 97. Passed January 2, 1891.

Authorizing the Hall's Safe and Lock Company to lay a railroad track across Central Avenue, between Pearl and Second streets.

Be it ordained by the City Council of Cincinnati:

SEC. 1. That permission be and the same is hereby granted to the Hall's Safe and Lock Company to lay a railroad track of standard gauge from their property, lying on the east side of Central Avenue between Pearl and Second streets, across Central Avenue, and connecting with the tracks of the Cleveland, Cincinnati, Chicago & St. Louis Railway and the Baltimore & Ohio Southwestern Railway, whose tracks abut on the extreme western line of Central Avenue, subject to the following terms and conditions:

1. Said tracks shall conform to the grade of the street, and said company shall immediately after laying the tracks restore the street where disturbed by them to its present good condition; shall keep that portion of the street lying between the rails of the track and one foot outside of each of the rails thereof in good repair, and maintain all necessary crossings of gutters under said track; and if said company shall remove said track from said street, it shall restore the street to perfect repair and good condition.

2. Said company shall lay said track in such manner that wagons and other vehicles may conveniently cross same, and in case of any change of grade in said street where such track is laid said company shall immediately relay its track to conform with the grade as changed at its own expense.

3. Said track shall be subject to removal at any time by order of the Board of City Affairs or of the City Council, and the said the Hall's Safe and Lock Company shall within two weeks after receiving notice so to do from the Board of City Affairs or the City Council remove said track from said street, and restore said street to good repair, and in the event of failure so to do the city may remove the track at the expense of said company.

4. Said company shall execute a bond to the city of Cincinnati, in the sum of ten thousand dollars, to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of the laying of said track across said Central Avenue, and for its faithful compliance with all and singular the provisions of this ordinance.

5. Said company shall not be allowed to run any cars over the track herein granted between the hours of 5 A. M. and 10 P. M., nor shall it be allowed to obstruct said Central Avenue longer than three minutes at any one time.

6. That said track shall be laid under the direction and supervision and to the satisfaction of the Board of City Affairs and its chief engineer.

7. Said company may use horses or mules in the transportation of cars across said Central Avenue, but no locomotives will be permitted to run upon or over said avenue.

No. 154. Passed March 26, 1891.

Authorizing the Lane & Bodley Company to lay railroad tracks in John Street, south of Water Street.

Be it ordained by the City Council of Cincinnati:

SEC. 1. That permission be and the same is hereby granted to the Lane & Bodley Company to lay, as shown by the attached

drawing, railroad tracks of the standard gauge from their property, lying on the east side of John Street, and extending from Water Street to the Ohio River, and connecting with the tracks of the Pittsburg, Cincinnati, Chicago & St. Louis Railroad Company now laid in John Street, subject to the following terms and conditions :

1. The tracks hereby authorized shall conform to the present surface of that portion of John Street in which they are laid.

2. The Lane & Bodley Company shall lay and maintain said tracks in such manner that wagons and other vehicles may conveniently cross them, and that the drainage shall in no way be interfered with ; and in case of John Street being improved to legal grade, then the Lane & Bodley Company shall immediately, at its own expense, relay its tracks should they not then conform to the legal grade.

3. Said tracks shall be subject to removal at any time by order of the Board of Public Improvements or of the City Council, and the said the Lane & Bodley Company shall within two weeks after receiving notice so to do from the Board of Public Improvements or of the City Council remove said tracks from said street, and restore said street to good repair, and in event of failure so to do the city may remove the tracks at the expense of said company.

4. Said company shall execute a bond to the city of Cincinnati, in the sum of five thousand dollars, to save the city harmless from any and all claims from damage that may accrue and be lawfully established by reason of the laying of said tracks in John Street, and for its faithful compliance with all and singular the provisions of this ordinance.

5. Cars may be operated over said tracks subject to all the provisions of the ordinance regulating the operation of cars on the Front-street connection track.

6. That said tracks shall be laid under the direction and supervision and to the satisfaction of the Board of Public Improvements and its engineer.

No. 285. Passed June 17, 1892.

To provide against and prevent and prescribe the penalty for the obstruction, use, or occupancy of Eastern Avenue at Rookwood or Delta by locomotives, cars, or trains, etc.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That it shall be unlawful to use or occupy Eastern Avenue at Rookwood or Delta with any locomotive, car, cars, or train by any railroad company, companies, superintendent, agent, or other employee thereof, either directly or indirectly, by permitting or suffering such locomotive, car, cars, or train to remain upon or across such street or public highway, or any part thereof, or by coupling, switching, or shifting of locomotives, cars, or trains, or the making up of trains upon or across such street or public highway or any part thereof, or by moving or stopping of trains upon or across the same, for a period longer than two minutes at one time ; and the use and occupancy of such street or public highway by any railroad company, companies, superintendent, agent, or other employee thereof, either directly or indirectly, for a period of ten minutes after the same has been once so obstructed, used, or occupied for said period of two minutes, so as to give and guarantee to the public the exclusive use of such street or highway for ten minutes thereafter, is hereby prevented, forbidden, and declared to be unlawful ; and any railroad company or companies so using such street or public highway for said period of two minutes shall provide and maintain suitable bars or gates and watchmen at such streets or crossings to secure and warn the public against the danger attending such use.

SEC. 2. It is further provided that to carry into force and effect the provisions of this ordinance the penalty for any such violation thereof shall be a fine not to exceed fifty dollars for each offense, or imprisonment not to exceed thirty days, or both fine and imprisonment for each and every repeated violation thereof after the first offense.

SEC. 3. It is provided further that nothing herein shall be so construed as to affect or interfere with the arrival and

departure of regular railroad trains moving on or across such street or public highway, without stopping, at a rate of speed not exceeding six miles per hour.

No. 95. Passed September 4, 1891.

To grant permission to the Cincinnati, Hamilton & Dayton Railroad Company to construct and operate a railroad track of the standard gauge across Evans Street, between Sixth Street and High Street.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission be and the same is hereby granted to the Cincinnati, Hamilton & Dayton Railroad Company to construct and operate a railroad track of the standard gauge across Evans Street, between Sixth and High streets, as per attached drawings, subject to the following conditions:

First—The track hereby authorized shall conform to the present surface of that portion of Evans Street in which it is laid.

Second—The Cincinnati, Hamilton & Dayton Railroad Company shall lay and maintain said track in such manner that wagons and other vehicles may conveniently cross over it, and that the drainage shall in no way be interfered with.

Third—That said track shall be laid under the direction and supervision and to the satisfaction of the chief engineer of the Board of Administration.

No. 146. Passed December 4, 1891.

To require the Cincinnati, New Orleans & Texas Pacific Railway Company to keep a watchman at all times at its crossing at Liberty Street and McLean Avenue.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Cincinnati, New Orleans & Texas Pacific Railway Company shall station at all times a watchman at the point where the tracks of the said company cross Liberty Street and McLean Avenue.

SEC. 2. If the superintendent, trainmaster, or transportation-master, whose duty it is hereby made to see that a watchman is

stationed at the said crossing, shall fail or neglect to station and keep a watchman at said crossings, either or all of them shall, upon conviction in the Police Court, be fined in any sum not less than ten nor more than twenty-five dollars for each and every time said officer shall so fail.

No. 209. Passed March 4, 1892.*

To require the Cincinnati & Westwood Narrow-gauge Railroad Company to place watchmen and erect safety gates at the crossing at Harrison Avenue.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Cincinnati & Westwood Narrow-gauge Railroad Company be and is hereby required to place watchmen and erect safety gates at the crossing at Harrison Avenue, and upon the failure of said company to have and keep watchmen and to erect safety gates at said crossing said company shall be fined in any sum not exceeding fifty dollars for each and every day when said railroad is in operation without watchmen and safety gates.

No. 284. Passed June 17, 1892.

To require the Cincinnati & Westwood Railroad Company to place and maintain safety gates and a watchman at the point where its tracks cross Harrison Avenue.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Cincinnati & Westwood Railroad Company be and it is hereby required to construct and maintain safety gates at the intersection of its railroad tracks with Harrison Avenue, and to place and maintain a watchman at said crossing.

SEC. 2. That any officer, agent, or employee or servant of said Cincinnati & Westwood Railroad Company who crosses said Harrison Avenue with a railroad locomotive or car without such safety gates being at said crossing, and without there

* Void by misnomer and misapplication of penalty.

being a watchman at said crossing, shall be deemed guilty of a misdemeanor, and shall be subject to a fine of not more than fifty dollars or imprisonment in the City Workhouse for not more than thirty days, or both fine and imprisonment; and each and every crossing of said Harrison Avenue upon the tracks of said company with a locomotive engine or railroad car shall be deemed a separate offense.

NO. 298. Passed July 1, 1892.

To require the Cincinnati, New Orleans & Texas Pacific Railroad Company to place watchmen and erect safety gates at the intersection of McLean Avenue and Liberty Street.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be and it is hereby made the duty of the Cincinnati, New Orleans & Texas Pacific Railroad Company to place watchmen and erect safety gates at the intersection of McLean Avenue and Liberty Street.

SEC. 2. That the safety gates required by Section 1 of this ordinance shall be so erected within thirty days after the taking effect of this ordinance, and upon a failure to so erect any such gates the Board of Administration, at the expense of said company, shall cause the same to be erected.

SEC. 3. That each of such gates shall be in charge of a competent person employed by the railroad company, who shall keep such gate closed while any steam-cars are occupying or crossing said street, and who shall prevent such gate at any time remaining closed for a period longer than five minutes.

SEC. 4. Any violation of Section 3 of this ordinance shall be deemed a misdemeanor, and any employee in charge of such gate offending against its provisions shall be fined in a sum not less than five dollars for each and every offense.

No. 488. Passed March 24, 1893.

Authorizing the Superior Wall Plastering and Manufacturing Company to lay a track in McLean Avenue, south of Gest Street.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission be and the same is hereby granted to the Superior Wall Plastering and Manufacturing Company to lay, as shown by the attached plat, a railroad track of the standard gauge from their property, situated on the west side of McLean Avenue, south of Court Street, to a point fifty feet, more or less, south of Gest Street, and connecting with the tracks of the Cincinnati Southern Railway in McLean Avenue, subject to the following terms and conditions:

First—The tracks hereby authorized shall conform to the present surface of that portion of McLean Avenue in which they are laid.

Second—The Superior Wall Plastering and Manufacturing Company shall lay and maintain such tracks in such manner that wagons and other vehicles may conveniently cross them, and that the drainage shall in no way be interfered with.

Third—Said tracks shall be subject to removal at any time by order of the Board of Administration or of the Board of Legislation, and the said the Superior Wall Plastering and Manufacturing Company shall, within two weeks after receiving notice so to do from the Board of Administration or the Board of Legislation, remove said tracks from said avenue, and restore said avenue to good repair, and in the event of a failure so to do the city may remove the tracks at the expense of said company.

Fourth—Said company shall execute a bond to the city of Cincinnati, in the sum of five thousand dollars, to save the city harmless from any and all claims from damage that may accrue and be lawfully established by reason of the laying of said tracks, and for its faithful compliance with all and singular the provisions of this ordinance.

Fifth—That said tracks shall be laid under the direction and supervision of the Board of Administration and its engineer.

No. 490. Passed March 31, 1893.

Authorizing the John B. Morris Foundry Company to lay a railroad track across New Court Street, between McLean Avenue and Harriet Street.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That permission be and the same is hereby granted to the John B. Morris Foundry Company to lay a railroad track of standard gauge from their property, lying on the south side of New Court Street, between Harriet and McLean Avenue, and connecting with the tracks of the Cincinnati, New Orleans & Texas Pacific Railway, whose tracks abut on New Court Street, subject to the following terms and conditions :

First—Said tracks shall conform to the grade of the street, and said company shall immediately after laying the track restore the street where disturbed by them to its present good condition ; shall keep that portion of the street lying between the rails of the track and one foot outside of each of the rails thereof in good repair, and maintain all necessary crossings of gutters under said track ; and if said company shall remove said track from said street it shall restore said street to perfect repair and good condition.

Second—Said company shall lay said track in such manner that wagons and other vehicles may conveniently cross same, and in case of any change of grade in said street where such tracks are laid said company shall immediately relay the tracks, to conform to the grade as changed, at its own expense.

Third—Said track shall be subject to removal at any time by order of the Board of Administration or of the Board of Legislation, and the said the John B. Morris Foundry Company shall within two weeks after receiving notice so to do from the Board of Administration or the Board of Legislation remove said track from said street, and restore said street to good repair, and in event of failure so to do the city may remove said track at the expense of said company.

Fourth—Said company shall execute a bond to the city of Cincinnati, in the sum of ten thousand dollars, to save the city

harmless from any and all claims for damages that may accrue and be lawfully established by reason of the laying of said track across New Court Street, and for the faithful compliance with all and singular the provisions of this ordinance.

Fifth—Said company shall not be allowed to run any cars over the track herein granted between the hours of 5 A. M. and 10 P. M., nor shall it be allowed to obstruct New Court Street longer than three minutes at any one time.

Sixth—The said track shall be laid under the direction, supervision, and to the satisfaction of the Board of Administration and its engineer.

Seventh—Said company may use horses or mules in the transportation of cars across said New Court Street, but no locomotive will be permitted to run upon or over said avenue.

NO. 539. Passed June 9, 1893.

To authorize the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to lay a railroad track to cross Sixth Street, west of Carr Street.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission be and the same is hereby granted to the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to lay a railroad track of standard gauge from their yards on the north side of Sixth Street, west of Carr Street, across said Sixth Street to the south side of said Sixth Street, and into the building now situated on the lot at the southwest corner of Sixth and Carr streets, subject to the following terms and conditions:

First—Said tracks shall conform to the grade of the street, and said company shall immediately after laying the track restore the streets where disturbed by them to its present good condition, and shall keep that portion of the street lying between the rails of the track and one foot outside of each of the rails thereof in good repair, and maintain all necessary crossings or gutters under said track; and if said company shall remove said track from said street, it shall restore said

street to good repair and perfect condition ; and all work done on said street in connection with said tracks to be done under the direction and supervision of the chief engineer of the Board of Administration and at the expense of the said company.

Second—Said company shall lay said track in such manner that wagons and other vehicles may conveniently cross same ; and in case of any change of grade in said street where such tracks are laid said company shall immediately lay the tracks to conform to the grade as changed at its own expense.

Third—Said tracks shall be subject to removal at any time by order of the Board of Administration or Board of Legislation, and after two weeks' notice to so remove said tracks from said street, and to restore the said street to good repair, the city may remove said track and restore said street, upon the failure of said company so to do, at the expense of said company.

Fourth—Said company shall execute a bond to the city of Cincinnati, in the sum of three thousand dollars, to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of the laying of said tracks across said Sixth Street, and for the faithful compliance with all and singular the provisions of this ordinance.

Fifth—Said company shall not be allowed to run any cars over the track herein granted between the hours of 5 A. M. and 10 P. M., nor shall it be allowed to obstruct said Sixth Street longer than three minutes at any one time ; and that engines are not to cross said Sixth Street at any time.

NO. 618. Passed August 25, 1893.

To require the Cincinnati & Westwood Railroad Company to place and maintain safety gates and a watchman at the point where its tracks cross Beekman Street.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That the Cincinnati & Westwood Railroad Company be and it is hereby required to construct and maintain safety gates at the intersection of its railroad tracks with

Beekman Street, and to place and maintain a watchman at said crossing.

SEC. 2. That any officer, agent, or employee or servant of said Cincinnati & Westwood Railroad Company who crosses said Beekman Street with a railroad locomotive or car without such safety gates being at said crossing, and without there being a watchman at said crossing, shall be deemed guilty of a misdemeanor, and shall be subject to a fine of not more than fifty dollars or imprisonment in the City Workhouse for not more than thirty days, or both fine and imprisonment; and each and every crossing of said Beekman Street upon the tracks of said company with a locomotive engine or railroad car shall be deemed a separate offense.

NO. 656. Passed October 13, 1893.

To authorize the Kineon Coal Company to use and occupy Smith Street, from a certain point south of Augusta Street to the Ohio River, with an elevated double track.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. *Permission given to use Smith Street*—That whereas the Kineon Coal Company is the owner or lessee of certain coal-yards at the southwest corner of Smith and Water streets, and wishes to erect coal-bins thereon, and to connect said coal-bins by an elevated double track road with the elevated tracks of the Covington & Cincinnati Elevated Railroad and Transfer and Bridge Company; and whereas said Kineon Coal Company has obtained and produced to the Board of Legislation the written consents of a majority of the property-owners on the line of said proposed elevated double tracks represented by the feet front of lots abutting on said Smith Street along which said tracks are proposed to be constructed, said property-holders being also the holders of more than one half of the feet front of the lots and lands abutting on said portion of Smith Street, it being found and declared to be true that such consents have been produced as aforesaid: Now, therefore, the said the Kineon Coal Company is hereby granted permission to use and occupy

Smith Street, from a point at or near the south line of Augusta Street southwardly to the Ohio River, with an elevated double track of standard gauge, said elevated double track to be used for transportation of cars by steam locomotives to said property of the said the Kineon Coal Company.

SEC. 2. The said elevated double track to be so constructed as not to interfere with the free use of Smith Street, and to be constructed according to plans and specifications on file in the office of the Board of Administration of the city of Cincinnati.

SEC. 3. The said company shall save the city harmless from any damages for which it may be liable for any injury to persons or property on account of the grant made under this ordinance.

NO. 966. Passed August 9, 1895.

Granting the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company permission to lay a single track in Vine Street, south of Front Street.

Be it ordained by the Board of Legislation of Cincinnati:

That there is hereby granted to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company permission to lay down a single track or switch of their road as follows, to-wit: Beginning at a point in the Front-street track of the Cincinnati Street Connection Railway, said point being one hundred and twelve feet west of the east line of Vine Street; thence by such a curve as is practicable to a point on the east side of Vine Street forty-four feet south of the south line of Front Street and six feet west of the east curb-line of Vine Street, measured from said east curb-line to the center line of said track; thence parallel with said east curb-line to a point one hundred and twenty-three feet south of the south line of Water Street; thence by such a curve as is practicable to the east line of the leasehold held by the Hinsch Coal and Coke Company from the Wiggins estate, with necessary turnout connecting the Water-street track, upon the following terms and conditions:

First—The portion of the pavement necessary to be taken up to place the roads thereon to be carefully put down again. The gutters at the intersections of the several streets to be covered with iron gutter-plates, to be laid down in such a manner as to allow the surface-water to pass freely under them. The work to be done under the direction of the Board of Administration and the engineer of the Board of Administration. The costs of relaying such pavement and gutters are to be paid by the said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company.

Second—Said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company to pay all damages that may result to property in any way by their occupancy of said street, and in no case shall any change of grade be made without the consent of the Board of Legislation.

Third—The rail used to be of the most improved kind, and to be put down in such a manner as to leave the surface of the street as near level as possible, so as to offer as little obstruction to vehicles passing over and along the street as the nature of the improvement will admit. The pattern and style of the rail to be submitted to the Board of Administration and the engineer of the Board of Administration, and to be approved by them before being placed on the streets.

Fourth—The city to have the right of allowing any present or future railway company to use said track in passing their cars through the city upon such terms as may be agreed upon between such railroad companies and the Board of Legislation or its successors; and should any question arise between the above-named company and any other company or companies with which the Board of Legislation or its successors may have entered into an agreement for privilege to use said track, then the Board of Legislation or its successors to be the umpire to decide between them, from whose decision there shall be no appeal.

Fifth—The hours which said track may be used for the transfer of freight and passengers shall be from 6 o'clock P. M.

to 6 o'clock A. M., and no cars to be drawn on the track at any other hours. The companies to have the privilege of using steam- or horse-power, as they in their judgment think best; subject, however, to the approval of the Board of Legislation and its successors. But in no case shall cars be drawn through the city at a greater speed than six miles per hour.

Sixth—For the privilege granted to the above-named company or companies to use the streets as above, they on their part agree to keep the streets in good repair between the rails of the said track and three feet outside of each of the rails thereof; and if the above-named companies to whom this grant is made fail to keep such street or streets occupied by their track in good order, then it shall be the duty of the Board of Administration to have the work done at their expense; and if they refuse or fail to pay into the city treasury the amount necessary to put them in repair for ten days after such work is done, then the Board of Administration or its successors may prevent such company from using the streets by removing the rails therefrom.

Seventh—The Pittsburg, Cincinnati, Chicago & St. Louis Railway Company shall furnish to the Board of Legislation a statement of the exact amount of the cost of said track, which shall be sworn to, of all moneys expended by them in its construction, so as to place the city in possession of such information, to be used, if found to be necessary, as a basis of what shall be a fair compensation to be paid by other companies for the privilege of using said track, in the event that said companies can not agree as to compensation, if it becomes necessary for the Board of Legislation or its successors to arbitrate as provided by Section 4 herein.

Eighth—The Board of Legislation or its successors alone shall have the power to arrange the terms for authorizing side switches, and fixing the conditions upon which turnouts shall be made on the line of the track between the points designated in this ordinance.

Ninth—Upon a resolution passed by the Board of Legislation, flagmen shall be kept stationed by the company receiving this grant where the cars turn any corner, so as to prevent collisions or accidents.

Tenth—Cars shall be permitted to remain on said line of track in Vine Street during the daytime, for the purpose of being loaded and unloaded, by the consent of all the abutting property-owners; provided that no cars shall in any event be permitted to obstruct the sidewalk or street at any of the intersections, nor be transferred or moved on said line of track at any time or in any manner than as provided by Section 5 herein.

Eleventh—The city shall not be liable to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company or to any other company under this agreement in any damage for delay or interruption, if any there be, for such time as may be necessary to lay down water- or gas-pipes, or for constructing any sewer that the city may by resolution or ordinance authorize to be built; nor shall any thing in this agreement be construed to pass from the city full and complete control of the streets in which this grant authorizes a railroad track to be laid, but her control is as full and complete as if no grant had been given, subject to the express condition to use the streets in the manner and for the purpose named.

Twelfth—The Pittsburg, Cincinnati, Chicago & St. Louis Railway Company, for and in consideration of the privilege to use the streets named in the first section of this ordinance for the purpose therein expressed, shall covenant and agree to pay to the said city of Cincinnati the sum of one dollar per annum.

Thirteenth—Should the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company, in laying its tracks under this ordinance, cross the tracks of any street railroad company, or the tracks of any other company, then said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company must obtain the consent and permission of said company to cross its tracks.

Fourteenth—Said track shall be subject to removal at any time by order of the Board of Legislation; and after thirty days' notice to so remove said tracks from said street, and to restore the said street to good repair, the city may remove said track and restore said streets, upon the failure of the said company so to do, at the expense of said company.

Fifteenth—Said company shall execute a bond to the city of Cincinnati, in the sum of three thousand dollars, to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of the laying of said tracks in said streets, and for the faithful compliance with all and singular the provisions of this ordinance.

NO. 967. Passed August 9, 1895.

Granting to the Baltimore & Ohio Southwestern Railway Company permission to lay a single track in and across Second Street, and in John Street south to Augusta Street.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission be and the same is hereby granted to the Baltimore & Ohio Southwestern Railway Company to lay down a single track or switch of their road of standard gauge as follows, to-wit: Beginning at a point in said company's tracks on the north side of Second Street west of John Street, and thence by curve across Second Street southwardly to a point in John Street on the south line of Second Street, not more than six feet east of the west curb-line of John Street, to a point in John Street at the north line of Augusta Street, subject to the following terms and conditions:

First—The portion of the pavement taken up necessary to place the road or switch thereon to be carefully put down again. Said track shall conform with the grade of the streets. The said company shall immediately after laying the track restore the street where disturbed by it to its present good condition, and shall keep that portion of the street lying between the rails of the track and for a distance of three feet outside of each of the rails thereof in good repair, and maintain all necessary

crossings under said track ; and if said company shall remove said track from said street, it shall restore said street to good repair and perfect condition ; and all work done on said street in connection with said track to be done under the direction and supervision of the chief engineer of the Board of Administration, and at the expense of the said company.

Second—Said Baltimore & Ohio Southwestern Railway Company to pay all damages that may result to property in any way by their occupancy of said streets, and in no case shall any change of grade be made without the consent of the Board of Legislation.

Third—The rail to be used to be of the most improved kind, and to be put down in such a manner as to leave the surface of the street as nearly level as possible, so as to offer as little obstruction to vehicles passing over and along the street as the nature of the improvement will admit ; the pattern and style of the rail to be submitted to the Board of Administration, and to be approved by them before being placed on the streets.

Fourth—The city to have the right of allowing any present or future railway company to use said track in passing cars through the city upon such terms as may be agreed upon between such railroad companies and the Board of Legislation or its successors ; and should any question arise between the above-named company and any other company or companies with which the Board of Legislation or its successors may have entered into an agreement for privilege to use said track, then the Board of Legislation or its successors to be the umpire to decide between them, from whose decision there shall be no appeal.

Fifth—The hours which said track may be used for the transfer of freight and passengers shall be from 6 o'clock P. M. to 6 o'clock A. M., and no cars are to be drawn on the track at any other hours. The company is to have the privilege of using steam- or horse-power, as it in its judgment may think best ; subject, however, to the approval of the Board of Legis-

lation and its successors. But in no case shall cars be drawn through the city at a greater speed than six miles an hour.

Sixth—For the privilege granted to the above-named company to use the streets as above it agrees on its part to keep the streets in good repair for all that portion lying between the rails of said track and three feet on the outside of each rail, and to pay the costs of relaying such pavement and gutters as are necessary to be taken up; and if the above-named company to whom this grant is made fails to keep such street or streets occupied by its track in good order, then it shall be the duty of the Board of Administration to have the work done at its expense; and if it refuse or fail to pay into the city treasury the amount necessary to put them in repair for ten days after such work is done, then the Board of Administration or its successors may prevent such company from using the streets by removing the rails therefrom.

Seventh—The Baltimore & Ohio Southwestern Railway Company shall furnish to the Board of Legislation a statement of the exact amount of the cost of said track, which shall be sworn to, of all moneys expended by said company in the construction of said track, so as to place the city in possession of such information, to be used, if found necessary, as a basis of what shall be a fair compensation to be paid by other companies for the privilege of using said track, in the event that said companies can not agree as to compensation, if it becomes necessary for the Board of Legislation or its successors to arbitrate as provided by Section 4 herein.

Eighth—The Board of Legislation or its successors alone shall have the power to arrange the terms for authorizing side switches, and fixing the conditions upon which turnouts shall be made on the line of the track between the points designated in this ordinance.

Ninth—Upon resolution passed by the Board of Legislation, flagmen shall be kept stationed by the company receiving this grant where the cars turn any corner, so as to prevent collisions or accidents.

Tenth—Cars shall be permitted to remain on said line of track in John Street during the daytime, for the purpose of being loaded and unloaded, by the consent of all the abutting property-owners; provided that no cars shall in any event be permitted to obstruct the sidewalk or street at any of the intersections, nor be transferred or moved on said line of track at any time or in any manner than as provided in Condition 5 herein.

Eleventh—The city shall not be liable to the Baltimore & Ohio Southwestern Railway Company or to any other company under this agreement in any damage for delay or interruption, if any there be, for such time as may be necessary to lay down water- or gas-pipes, or for constructing any sewer that the city may by resolution or ordinance authorize to be built; nor shall any thing in this agreement be construed to pass from the city full and complete control of the streets in which this grant authorizes a railroad track to be laid, but her control is as full and complete as if no grant had been given, subject to the express condition to use the streets in the manner and for the purpose named.

Twelfth—But said track shall be subject to removal at any time by order of the Board of Legislation, or upon demand made in writing, by a majority of the front feet of abutting property-holders, of the said Baltimore & Ohio Southwestern Railway Company to remove the same; and after thirty days' notice to so remove said track from said streets, and to restore the streets to good repair, the city may remove said track and restore said streets at the expense of said company, upon the failure of said company so to do.

Thirteenth—The Baltimore & Ohio Southwestern Railway Company, for and in consideration of the privilege of using the streets named in the first section of this ordinance for the purpose therein expressed, shall covenant and agree to pay the said city of Cincinnati the sum of one dollar per annum.

Fourteenth—Should the Baltimore & Ohio Southwestern Railway Company in laying its track under the ordinance

cross the tracks of any street railroad company or the tracks of any other company, the said Baltimore & Ohio Southwestern Railway Company must obtain the consent and permission of said company to cross its tracks.

Fifteenth—Said company shall execute a bond to the city of Cincinnati, in the sum of three thousand dollars, to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of the laying of said tracks across said Second and John streets, and for the faithful performance of all and singular the provisions of this ordinance.

No. 1046. Passed March 27, 1896.

Granting to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company permission to lay a single track on Water Street in the City of Cincinnati, Ohio, across and extending westwardly from Walnut Street.

Be it ordained by the Board of Legislation of Cincinnati:

That there is hereby granted to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company permission to lay down a single track or switch of their road to accommodate the business of James Heekin & Co. as follows, to-wit: Beginning at a point in the Water-street branch of the Cincinnati Street Connection Railway, said point being thirty-five feet east of the east line of Walnut Street; thence turning out of the said street connection railway as now constructed in Water Street, extending westwardly two hundred feet, by the necessary curve across Walnut Street, making the turnout; thence parallel with and distant from the north house-line of Water Street twelve feet, upon the following terms and conditions:

First—The portion of the pavement necessary to be taken up in connection with the construction of the sidetrack to be carefully put down again. The gutters at the intersection of Walnut and Water streets to be covered with iron gutter-plates, to be laid down in such a manner as to allow the surface-water to pass freely under them. The work to be done under the

direction of the Board of Administration and the engineer of the Board of Administration. The costs of relaying such pavement and gutters are to be paid by the said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company.

Second—Said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company to pay all damages that may result to property in any way by their occupancy of said street, and in no case shall any change of grade be made without the consent of the Board of Legislation.

Third—The rail used to be of the most improved kind, and to be put down in such manner as to leave the surface of the street as near level as possible, so as to offer as little obstruction to vehicles passing over and along the streets as the nature of this improvement will admit. The pattern and style of the rail to be submitted to the Board of Administration and the engineer of the Board of Administration, and to be approved by them before being placed on the streets.

Fourth—The city to have the right of allowing any present or future railway company to use said track in passing their cars through the city upon such terms as may be agreed upon between such railroad companies and the Board of Legislation or its successors; and should any question arise between the above-named company and any other company or companies with which the Board of Legislation or its successors may have entered into an agreement for privilege to use said track, then the Board of Legislation or its successors to be the umpire to decide between them, from whose decision there shall be no appeal.

Fifth—The hours which said track may be used for the transfer of freight shall be from 6 o'clock P. M. to 6 o'clock A. M., and no cars to be drawn on the track at any other hours, except that the privilege is given of drawing cars at any hour by horse-power. The companies to have the privilege of using steam- or horse-power between 6 P. M. and 6 A. M., as they in their judgment think best; subject, however, to the approval of the Board of Legislation or its successors. But in no case

shall cars be drawn through the city at a greater speed than six miles per hour.

Sixth—For the privilege granted to the above-named company or companies to use the streets as above they on their part agree to keep the streets in good repair between the rails of the said track and three feet outside of each of the rails thereof; and if the above-named companies to whom this grant is made fail to keep each street or streets occupied by their tracks in good order, then it shall be the duty of the Board of Administration to have the work done at their expense; and if they refuse or fail to pay into the city treasury the amount necessary to put them in repair for ten days after such work is done, then the Board of Administration or its successors may prevent such company from using its streets by removing the rails therefrom.

Seventh—The Pittsburg, Cincinnati, Chicago & St. Louis Railway Company shall furnish to the Board of Legislation a statement of the exact amount of the cost of said track, which shall be sworn to, of all moneys expended by them in its construction, so as to place the city in possession of such information, to be used, if found to be necessary, as a basis of what shall be fair compensation to be paid by other companies for the privilege of using said track, in the event that said companies can not agree as to compensation if it becomes necessary for the Board of Legislation or its successors to arbitrate as provided by Section 4 herein.

Eighth—The Board of Legislation or its successors alone shall have the power to arrange the terms for authorizing side switches, and fixing the conditions upon which turnouts shall be made on the line of the track between the points designated in this ordinance.

Ninth—Upon resolution passed by the Board of Legislation, flagmen are to be kept stationed, if necessary, where the cars turn any corner, so as to prevent collisions or accidents.

Tenth—Cars shall be permitted to remain on said line of track of Water Street during the daytime, for the purpose

of being loaded or unloaded, by the consent of the abutting property-owners; provided that no cars shall in any event be permitted to obstruct the sidewalk or street at the intersection of Walnut and Water streets, nor be transferred or moved on said line of track at any time or in any manner than as provided by Section 5 herein.

Eleventh—The city shall not be liable to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company or to any other company under this agreement in any damage for delay or interruption, if any there be, for such time as may be necessary to lay down water- or gas-pipes, or for constructing any sewer that the city may by resolution or ordinance authorize to be built; nor shall any thing in this agreement be construed to pass from the city full and complete control of the streets in which this grant authorizes a railroad track to be laid, but her control is as full and complete as if no grant had been given, subject to the express conditions to use the streets in the manner and for the purpose named.

Twelfth—The Pittsburg, Cincinnati, Chicago & St. Louis Railway Company, for and in consideration of the privilege to use the streets named in the first section of this ordinance for the purpose therein expressed, shall covenant and agree to pay to the said city of Cincinnati the sum of one dollar per annum.

Thirteenth—Should the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company in laying its tracks under this ordinance cross the tracks of any street railway company, or the tracks of any other company, then said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company must obtain the consent and permission of said company to cross its tracks.

Fourteenth—Said track shall be subject to removal at any time by order of the Board of Administration or Board of Legislation; and after thirty days' notice to so remove said tracks from said street, and to restore the said street to good repair, the city may remove said track and restore said streets,

upon the failure of said company so to do, at the expense of said company.

Fifteenth—Said company shall execute a bond to the city of Cincinnati, in the sum of three thousand dollars, to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of the laying of said tracks in said streets, and for the faithful compliance with all and singular the provisions of this ordinance.

NO. 1173. Passed March 1, 1897.

Granting the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company permission to lay a sidetrack across the intersection of Second and Front streets, and on Lawrence Street north of Front Street, and a sidetrack across Lawrence Street.

Be it ordained by the Board of Legislation of Cincinnati:

That there is hereby granted to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company permission to lay down a single track of their road as follows to accommodate business of the Cincinnati Architectural Iron Works, the Hoefinghoff & Laue Foundry Company, the Miller, Du Brul & Peters Manufacturing Company, and the Bickford Drill Company: Beginning at a point in the Front-street track of the Cincinnati Street Connection Railway, said point being seventy-five feet west of the west line of Lawrence Street; thence by the necessary curve to a point on the east side of Lawrence Street seventy-five feet north of the north line of Front Street and five feet west of the east curb-line of Lawrence Street; thence parallel with said east line to a point forty feet south of the south line of Pearl Street; and a track turning out of the above-described track and crossing Lawrence Street for the accommodation of the business of the McIlvaine & Spiegel Boiler and Tank Company, beginning at a point one hundred and thirty feet north of the north line of Front Street, thence northwesterly by the necessary curve to the west line of Lawrence Street. Permission is also granted to lay a two-foot gauge train-track parallel to said sidetrack upon the east sidewalk of Lawrence Street, and turning into the building of the Cincinnati Archi-

tectural Iron Works, and also to erect an overhead traveler, projecting from said building, all for the purpose of more safely and easily loading and unloading cars which may be placed on said sidetrack, upon the following terms and conditions :

First—The portion of the pavement taken up for the construction of the tracks therein shall be carefully replaced ; no change of grade of street shall be made without consent of the Board of Legislation ; any manholes, inlets, or other appurtenances of the sewerage system of the city which may be disturbed shall be replaced. All of said work shall be done under the direction of the Board of Administration and the engineer of the Board of Administration, and the cost thereof shall be paid by the said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company.

Second—The rail used shall be of the most improved kind as used on the main track of said Street Connection Railway, and shall be put down in such a manner as to project as little as possible above the surface of the street, so as to offer as little obstruction to vehicles passing over and along said street as the nature of the improvement will admit. The pattern and style of the rail to be submitted to the Board of Administration and the engineer of the Board of Administration for their approval.

Third—The city to have the right of allowing any present or future railway company to use said track in passing their cars through the city upon such terms as may be agreed upon between such railroad companies and the Board of Legislation or its successors ; and should any question arise between the above-named company and any other company or companies with which the Board of Legislation or its successors may have entered into an agreement for privilege to use said track, then the Board of Legislation or its successors to be the umpire to decide between them, from whose decision there shall be no appeal.

Fourth—For the privilege granted to the above-named company or companies to use the streets as above, they on

their part agree to keep the streets in good repair between the rails of the said track and three feet outside of each of the rails thereof; and if the above-named companies to whom this grant is made fail to keep such street or streets occupied by their track in good order, then it shall be the duty of the Board of Administration to have the work done at their expense; and if they refuse or fail to pay into the city treasury the amount necessary to put them in repair for ten days after such work is done, then the Board of Administration or its successors may prevent such company from using the streets by removing the rails therefrom.

Fifth—The Pittsburg, Cincinnati, Chicago & St. Louis Railway Company shall furnish to the Board of Legislation a statement of the exact amount of the cost of said track, which shall be sworn to, of all moneys expended by them in its construction, so as to place the city in possession of such information, to be used, if found to be necessary, as a basis of what shall be a fair compensation to be paid by other companies for the privilege of using said track, in the event that said companies can not agree as to compensation, if it becomes necessary for the Board of Administration or its successors to arbitrate as provided by Section 3 herein.

Sixth—The Board of Legislation or its successors alone shall have the power to arrange the terms for authorizing side switches, and fixing the conditions upon which turnouts shall be made upon the line of the track between the points designated in this ordinance.

Seventh—Upon resolution of the Board of Legislation, flagmen must be stationed where the track turns any corner, to prevent collisions or accidents.

Eighth—Cars shall be permitted to remain on said tracks in Lawrence Street at any time, for the purpose of being loaded or unloaded, by the consent of the abutting property-owners, provided that no cars shall in any event be permitted to obstruct the sidewalk or any of the intersecting streets.

Ninth—The city shall not be liable to the Pittsburg, Cin-

cincinnati, Chicago & St. Louis Railway Company or to any other company under this agreement in any damage for delay or interruption, if any there be, for such time as may be necessary to lay down water- or gas-pipes, or for constructing any sewer that the city may by resolution or ordinance authorize to be built; nor shall any thing in this agreement be construed to pass from the city full and complete control of the streets in which this grant authorizes a railroad track to be laid, but her control is as full and complete as if no grant had been given, subject to the express condition to use the streets in the manner and for the purpose named.

Tenth—The Pittsburg, Cincinnati, Chicago & St. Louis Railway Company, for and in consideration of the privilege to use the streets named in the first section of this ordinance for the purpose therein expressed, shall covenant and agree to pay to the said city of Cincinnati the sum of one dollar per annum.

Eleventh—Should the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company in laying its tracks under this ordinance cross the tracks of any street railroad company, or the tracks of any other company, then said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company must obtain the consent and permission of said company to cross its tracks.

Twelfth—Said track shall be subject to removal at any time by order of the Board of Administration or Board of Legislation; and after thirty days' notice to so remove said tracks from said streets, and to restore the said street to good repair, the city may remove said track and restore said streets, upon the failure of the said company so to do, at the expense of said company.

Thirteenth—Said company shall execute a bond to the city of Cincinnati, in the sum of one thousand dollars, to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of the laying of said tracks in said streets, and for the faithful compliance with all and singular the provisions of this ordinance.

No. 1197. Passed March 22, 1897.

Authorizing the Cincinnati Northern Railroad Company to use, occupy, and cross certain property, public grounds, avenues, streets, and alleys in the City of Cincinnati, Ohio.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission and authority are hereby granted to the Cincinnati Northern Railroad Company to cross, occupy, and use, in the manner described herein below, for railroad purposes, with single or double tracks, the following property, public grounds, avenues, streets, and alleys, to-wit:

(1) The right to use and occupy with its tracks Accommodation Street, commencing on the west side thereof at a point about three hundred and twenty-five feet south of the north end of said street; thence northwardly across said street, reaching the east line of Accommodation Street at a point about seventy-five feet south of the north end of said street.

(2) Thence northwardly from Accommodation Street, beneath the present tracks of the Cincinnati, Lebanon & Northern Railway Company, and through the property of the city of Cincinnati now held by said Cincinnati, Lebanon & Northern Railway Company under lease from said city, by tunnel to and under Deercreek Road and Elsinore Avenue, passing about forty feet beneath the present surface of said Elsinore Avenue at its intersection with the Deercreek Road to the property of said Cincinnati Northern Railroad Company lying west of the Deercreek Road at the southern portal of said company's tunnel; all in accordance with and as shown on the plat on file in the office of the engineer of the Board of Administration of the city of Cincinnati.

(3) Through and along said company's right of way and tunnel, passing beneath all streets, alleys, or highways that have been opened across the line thereof, to its northern portal near the western end of Ridgeway Street, on the property formerly belonging to Samuel Beresford.

(4) Thence northeastwardly along the right of way acquired from the Cincinnati Railway Tunnel Company to the east cor-

poration line of the city of Cincinnati, being the east line of Section 9, Township 3, Fractional Range 2 of the Miami Purchase, passing under Woodward or Blair Avenue near its junction with Beresford Avenue at such elevation as will afford proper clearance for the cars and traffic of said Cincinnati Northern Railroad Company without change or interference with the use of said Woodward or Blair Avenue.

(5) The right to cross with two or more tracks Rockdale Avenue, an unused and unimproved street, near where the same is now occupied and crossed by the trestle and track of the Cincinnati, Lebanon & Northern Railway, at such distance therefrom and at such elevation as shall be made necessary by the grade determined upon for the crossing of Woodward or Blair Avenue.

(6) Also the right to cross Deercreek Road with one or more tracks for switching purposes, passing under the present tracks of the Cincinnati, Lebanon & Northern Railway Company, about eight hundred and fifty feet southwardly from Elsinore Avenue, to reach the property of said Cincinnati Northern Railroad Company lying west of Deercreek Road and south of Elsinore Avenue.

SEC. 2. That the grading shall be made and the tracks laid under the direction and to the satisfaction of the engineer of the Board of Administration of the city of Cincinnati, and shall be so built and maintained as not unnecessarily to obstruct the ordinary use or drainage of the streets through and over which said railroad shall be constructed; and if it be necessary in constructing said railroad on the grade aforesaid to remove, replace, or relocate any part or portion of any sewer constructed in the line of said property, public grounds, streets, avenues, and alleys, or relocate any water-main or pipe, the same shall be done at the expense of the said Cincinnati Northern Railroad Company, and in accordance with plans and specifications furnished by said engineer of the Board of Administration of the city of Cincinnati, and the work shall be performed under said engineer's supervision and to his satisfaction.

SEC. 3. That said company shall pay and hold the city of Cincinnati harmless from any and all costs and expenses to be incurred in the construction and maintenance of said work and the railroad authorized hereunder, and also any and all damages for which said city may be made liable by reason of the occupancy and use of such property, public grounds, streets, avenues, and alleys, or parts thereof, by said railroad company, and shall pay the owners of adjoining property any damages that may be occasioned by the performance of the work herein authorized and for which the company would be otherwise liable.

SEC. 4. That before said company shall commence the construction of any part of its said roadway upon the property, public grounds, streets, avenues, and alleys aforesaid, it shall give a bond, payable to the city of Cincinnati, in the penal sum of twenty-five thousand dollars, with sureties satisfactory to the Board of Administration of the city of Cincinnati, to comply with the conditions hereof.

SEC. 5. That the city of Cincinnati shall have the right to allow any other railroad company or companies (whose tracks are of the same gauge as that of the Cincinnati Northern Railroad Company) coming from other states or other counties in Ohio to connect with such portions of said track as may be laid upon the property, public grounds, streets, avenues, or alleys under the authority of this ordinance, and to use the same with cars of the same gauge; but such right shall be subordinate to that of the Cincinnati Northern Railroad Company, and shall be so exercised as not to destroy or materially impair the right herein granted to said company, and shall be subject to such reasonable regulations as may be proper in order to avoid collisions and secure the safety of trains, and upon such reasonable compensation, having due regard to the original cost of construction and maintenance, as may be previously agreed upon by and between said the Cincinnati Northern Railroad Company or its assigns and such other party or parties desiring to use the tracks so laid as aforesaid. And in the event of any accident to any train of such other company or companies resulting in

injury to or destruction of the tracks, substructures, tunnel, or other property of the said Cincinnati Northern Railroad Company, the loss so occasioned shall be paid by the company or companies owning such train or trains.

SEC. 6. The said Cincinnati Northern Railroad Company shall at all times have the right to fix its own time-tables for arrival and departure of trains, and to arrange the tracks and other matters connected with the construction and operation of said railroad as it shall see fit, but not so as to destroy the right herein reserved to said city to grant the privilege aforesaid to other companies.

SEC. 7. All existing ordinances and parts of ordinances in conflict herewith are hereby repealed.

SEC. 8. The work that may be let by the Cincinnati Northern Railroad Company for the construction contemplated by this ordinance shall be done, as far as practicable, by laborers that are residents of the city of Cincinnati.

SEC. 9. The work contemplated by this ordinance shall be finished within two and one half years from and after the acceptance of this ordinance by the Cincinnati Northern Railroad Company; otherwise this ordinance shall be null and void.

SEC. 10. This ordinance shall take effect and be in force from and after the earliest period allowed by law; provided that before any right shall vest under this ordinance said Cincinnati Northern Railroad Company shall, in writing filed with the city clerk, accept the same, and agree to abide by all its provisions and conditions; and provided further that this ordinance shall not take effect until the Cincinnati, Lebanon & Northern Railway Company has filed with the clerk of this board its written consent to that part of this ordinance which provides that the Cincinnati Northern Railroad Company may pass as proposed through the property leased to the Cincinnati, Lebanon & Northern Railway Company; and provided further that the Cincinnati, Lebanon & Northern Railway Company will pay the same rental as provided in said lease to the city of Cincinnati

without any diminution by reason of the occupancy of the leased property as aforesaid by said Cincinnati Northern Railroad Company.

NO. 829. Passed April 7, 1902.

Granting to the Cincinnati, Lebanon & Northern Railway Company the right to construct, maintain, and operate one additional main track across Fredonia Avenue and Blair Avenue.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission is hereby granted to the Cincinnati, Lebanon & Northern Railway Company to construct, maintain, and operate one additional main track on the south side of its present main track across Fredonia Avenue and Blair Avenue.

SEC. 2. The elevation of said additional main track shall conform, as far as practicable, with the established grades of said avenues.

SEC. 3. Said track shall be planked for roadway and sidewalks in such manner as shall be satisfactory to the Board of Public Service.

NO. 882. Passed January 16, 1902.

Granting to the Cincinnati, Lebanon & Northern Railway Company the right to lay and maintain a track to connect its main line with the premises of L. P. Hazen & Co., east of Hunt Street and north of Elsinore Avenue.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission is hereby granted to the Cincinnati, Lebanon & Northern Railway Company to lay a track of standard gauge to connect its main line with the premises of L. P. Hazen & Co., east of Hunt Street and north of Elsinore Avenue. Said track shall occupy a strip of ground twenty feet in width and being ten feet on either side of the following described center line: Beginning at a point on the east line of lot No. 177 of Eden-Park Subdivision, said point being distant southerly ten feet from the northeast corner of said

lot; thence in a southwesterly direction, by a curved line having a radius of two hundred and twenty-five feet, to a point in the west line of lot No. 181 of said subdivision, said last-named point being distant northerly ten feet from the southwest corner of said lot No. 181; thence westerly, in a curved line having a radius of two hundred and twenty-five feet, across Deercreek Road to a point in the west line of said Deercreek Road, said last-named point being distant ten feet, more or less, from the northeast corner of premises east of Hunt Street and north of Elsinore Avenue now owned or controlled by L. P. Hazen & Co.; the length of track across Eden-Park Subdivision to be one hundred and fifty feet, more or less, and the length of track across Deercreek Road to be sixty-four feet, more or less.

SEC. 2. This track shall be laid under the direction and to the satisfaction of the Board of Public Service and its chief engineer. The necessary use of the Deercreek Road in crossing said track into city property shall be properly provided for. And said track shall be maintained by said Cincinnati, Lebanon & Northern Railway Company until such time as other use of the city property occupied by it shall require its removal, when it shall be removed by said company or its successor, upon order of the Board of Public Service or its successor.

NO. 22. Passed June 7, 1897.

Permitting the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company to string wires on Eastern Avenue.

Be it ordained by the Board of Legislation of Cincinnati:

That permission be granted unto the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company to string a wire along Eastern Avenue, from its shops on said Eastern Avenue between Ringgold and Brown streets eastwardly to Strader Avenue, and northwardly along said Strader Avenue to a point about midway between Wool and Taylor streets; thence southeast-

wardly across private property, after consent therefor obtained, and across Worth Street to private property on the east side thereof; also to string double wires along said Eastern Avenue, beginning at said shops and extending westwardly along said Eastern Avenue, to a point about four hundred feet west of Main Street; said wires being for the purpose of establishing communication between the telegraph office of said company and the homes of its wrecking crew. Said company also to have the privilege of extending said wires between said points to the houses of said crew along the line of said wires.

No. 62. Passed August 23, 1897.

Granting the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company permission to lay two sidetracks across Butler Street into the property of the Adams Express Company, and for the benefit of the latter company.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That there is hereby granted to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company permission to lay two sidetracks into the property of the Adams Express Company across Butler Street, in location described as follows: Beginning at a point on the west line of Butler Street sixty-six feet south of the south line of Friendship Alley, thence eastwardly to a point on the east curb-line of Butler Street sixty-five feet south of the south line of Friendship Alley extended; also beginning at a point on the west line of Butler Street seventy-seven and one half feet south of the south line of Friendship Alley, thence eastwardly by a curve of three hundred and forty feet radius to a point sixty-nine and one half feet south of the south line of Friendship Alley extended, upon the following terms and conditions:

First—The portion of the pavement taken up for the construction of the tracks therein shall be carefully replaced; no change of grade shall be made without the consent of the Board of Legislation; any manholes, inlets, or other appurtenances of the sewerage system of the city which may be disturbed

shall be replaced. All of said work shall be done under the direction of the Board of Administration and the engineer of the Board of Administration, and the cost thereof shall be paid by the said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company.

Second—For the privilege granted to the above-named company, the said company agrees to keep the street in good repair between the rails of the said tracks and three feet outside of each of the rails thereof; and if the company shall fail to keep the street in good order as above, then it shall be the duty of the Board of Administration to have the work done at their expense; and if they refuse or fail to pay into the city treasury the amount necessary to put them in repair for ten days after such work is done, then the Board of Administration may prevent such company from using the street by removing the rails therefrom.

Third—At no time shall said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company cause or permit any obstruction by cars of the free passage for vehicles or pedestrians of the street and sidewalk, the crossing of which by their tracks is thus permitted. Said tracks shall always be kept free of cars, save those in motion.

Fourth—The Pittsburg, Cincinnati, Chicago & St. Louis Railway Company, for and in consideration of the privilege to cross the street named in the first section of this ordinance for the purpose therein expressed, shall covenant and agree to pay to the said city of Cincinnati the sum of one dollar.

Fifth—Said company shall execute a bond to the city of Cincinnati, in the sum of one thousand dollars, to save the city harmless and free from all claims for damages that may accrue and be lawfully established by reason of the laying of said tracks across said street, and for the faithful compliance with all and singular the provisions of this ordinance.

NO. 85. Passed October 25, 1897.

To provide for the stopping of street cars and other public conveyances at crossings of steam railroad tracks other than at grade.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That all street cars, omnibuses, and other vehicles for the conveyance of passengers for hire within the city of Cincinnati be required to stop at not less than one hundred feet from every crossing of steam railroad tracks, where said tracks run over and above the route of any street railroad or other public conveyance by means of a bridge or otherwise.

SEC. 2. Said street cars or other public conveyance shall remain at a standstill within said hundred feet until any locomotive or train of cars shall entirely have passed such crossing.

SEC. 3. That the owner or operator of any street-car line or other line of public conveyance violating the provisions of this ordinance shall be fined in a sum not exceeding fifty dollars upon conviction in the Police Court.

NO. 152. Passed March 7, 1898.

Granting permission to the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to lay a track across Harriet Street, north of Sixth Street.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission be and the same is hereby granted to the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to lay a track of standard gauge across Harriet Street, north of Sixth Street, as per attached drawings, subject to the following conditions:

First—The track hereby authorized shall conform to the present surface of that portion of Harriet Street in which it is laid.

Second—The Cleveland, Cincinnati, Chicago & St. Louis Railway Company shall lay and maintain said track in such manner that wagons and other vehicles may conveniently

cross over it, and that the drainage shall in no way be interfered with.

Third—That said track shall be laid under the direction and provision and to the satisfaction of the chief engineer of the Board of Administration.

NO. 201. Passed June 27, 1898.

Granting to the Baltimore & Ohio Southwestern Railway Company permission to lay a single track in and across Park Street into the yards of the Great Western Marble Works, at the northwest corner of Second and Park streets.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission be and the same is hereby granted to the Baltimore & Ohio Southwestern Railway Company to lay down a single track or switch of their road of standard gauge to accommodate the business of the Great Western Marble Works, as follows, viz.: Beginning at a point in the company's tracks on the north side of Second Street east of Park Street, and thence across Park Street westwardly to a point on the west line of Park Street in said company's yard.

First—The portion of the pavement taken up necessary to place the road or switch thereon to be carefully put down again. Said track shall conform with the grade of the streets. The said company shall, immediately after laying the track, restore the street where disturbed by it to its present good condition, and shall keep that portion of the street lying between the rails of the track and for a distance of three feet outside of each of the rails thereof in good repair, and maintain all necessary crossings under said track; and if said company shall remove said track from said street it shall restore said street to good repair and perfect condition; and all work done on said street in connection with said tracks to be done to the satisfaction and under the direction and supervision of the chief engineer of the Board of Administration or its successors, and at the expense of the said company.

Second—Said Baltimore & Ohio Southwestern Railway

Company to pay all damages that may result to property in any way by their occupancy of said street, and in no case shall any change of grade be made without the consent of the Board of Legislation.

Third—The rail to be used to be of the most improved kind, and to be put down in such a manner as to leave the surface of the street as nearly level as possible, so as to offer as little obstruction to vehicles passing over and along the street as the nature of the improvement will admit; the pattern and style of the rail to be submitted to the Board of Administration or its successors, and to be approved by it before being placed on the street.

Fourth—The city to have the right of allowing any present or future railway company to use said track upon such terms as may be agreed upon between such railroad companies and the Board of Legislation or its successors; and should any question arise between the above-named company and any other company or companies with which the Board of Legislation or its successors may have entered into an agreement for privilege to use said track, then the Board of Legislation or its successors to be the umpire to decide between them, from whose decision there shall be no appeal.

Fifth—The hours which said track may be used shall be from 6 o'clock P. M. to 6 o'clock A. M., and no cars are to be drawn on the track at any other hours.

Sixth—For the privilege granted to the above-named company to use the streets as above it agrees on its part to keep the streets in good repair for all that portion lying between the rails of said track and three feet on the outside of each rail, and to pay the costs of relaying such pavement and gutters as are necessary to be taken up; and if the above-named company to whom this grant is made fails to keep such street or streets occupied by its track in good order, then it shall be the duty of the Board of Administration or its successors to have the work done at its expense; and if it refuses or fails to pay into the city treasury the amount necessary to put them in

repair for ten days after such work is done, then the Board of Administration or its successors may prevent such company from using the streets by removing the rails therefrom.

Seventh—The Baltimore & Ohio Southwestern Railway Company shall furnish to the Board of Legislation a statement of the exact amount of the cost of said track, which shall be sworn to, of all moneys expended by said company in the construction of said track, so as to place the city in possession of such information, to be used, if found necessary, as a basis of what shall be a fair compensation to be paid by other companies for the privilege of using said track, in the event that said companies can not agree as to compensation, if it becomes necessary for the Board of Legislation or its successors to arbitrate, as provided in paragraph fourth herein.

Eighth—The city shall not be liable to the Baltimore & Ohio Southwestern Railway Company or to any other company under this agreement in any damage for delay or interruption, if any there be, for such time as may be necessary to lay down water- or gas-pipes, or for constructing any sewer that the city may by resolution or ordinance authorize to be built; nor shall any thing in this agreement be construed to pass from the city full and complete control of the streets in which this grant authorizes a railroad track to be laid, but her control is as full and complete as if no grant had been given, subject to the express condition to use the streets in the manner and for the purpose named.

Ninth—The extent of the grant under this ordinance is for the term of fifteen years from the passage hereof, and may be renewed upon such terms and conditions as the Board of Legislation or its successors may prescribe; but said track shall be subject to removal at any time by order of the Board of Administration or Board of Legislation or their successors; and after two weeks' notice to so remove said track from said streets, and to restore the said streets to good repair, the city may remove said track and restore said street at the expense of said company, upon the failure of said company so to do.

Tenth—The Baltimore & Ohio Southwestern Railway Company, for and in consideration of the privilege of using the streets named in the first section of this ordinance for the purpose herein expressed, shall covenant and agree to pay the said city of Cincinnati the sum of one dollar per annum.

Eleventh—Should the Baltimore & Ohio Southwestern Railway company, in laying its track under this ordinance, cross the tracks of any street railroad company or the tracks of any other company, the said Baltimore & Ohio Southwestern Railway Company must obtain the consent and permission of said company to cross its tracks.

Twelfth—Said company shall execute a bond to the city of Cincinnati, in the sum of three thousand dollars, to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of the laying of said track across said Park Street, and for the faithful performance of all and singular the provisions of this ordinance.

NO. 366. Passed July 31, 1899.

Granting permission to the Baltimore & Ohio Southwestern Railroad Company to lay four tracks across Central Avenue.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission be and the same is hereby granted to the Baltimore & Ohio Southwestern Railroad Company to lay four tracks for railroad purposes across Central Avenue in said city of Cincinnati, between the north line of Second Street and a point in Central Avenue midway between said north line of Second Street and the south line of South Pearl Street, connecting with said railroad company's tracks now located on the west side of Central Avenue.

SEC. 2. Said tracks shall be constructed under the direction and to the satisfaction of the chief engineer of the Board of City Affairs of said city, and shall be so constructed as not to interfere with the ordinary use or drainage of said street.

SEC. 3. Said railroad company shall lay and cause to be placed and maintained between the rails and within two and a half inches thereof, for the full width of the street-crossing, a planking of sound oak plank, securely spiked to the crossties; said planking to be of the same thickness as the depth of the rail, so that the surface of the planking shall be flush with the top of the rail; and oak planking not less than four inches wide, and of the same thickness as that between the rails, shall be firmly spiked to the crossties against the outer edge of both rails, flush with the top thereof, throughout the entire width of the street occupied by said tracks. The said railroad company may pave said crossing with asphalt, brick, cement, or other material as will be approved by the Board of City Affairs and its chief engineer, and shall keep the same at all times in a safe condition and proper repair; and on failure of the railroad company so to do, after five days' notice, the city shall have the right to make the necessary repairs and collect the expense of the same from said railroad company. The railroad company shall raise or lower their tracks, at their own expense, to conform with any change of grade that may be made in said street at a point where it crosses the same.

SEC. 4. Said railroad company shall not cause or permit any car or cars or locomotives to block said avenue between the hours of 6 o'clock A. M. and 8:30 A. M., nor between the hours of 4 o'clock P. M. and 6:30 P. M.; nor shall said railroad company cause or permit said avenue to be blocked or obstructed at any other time by cars or locomotives standing thereon to the hindrance or inconvenience of travelers or any person or vehicle along or upon said avenue for a longer period than five minutes. Said railroad company shall be required to maintain a watchman at said avenue-crossing while switching is being done thereon.

NO. 367. Passed July 31, 1899.

**Granting permission to the Cleveland, Cincinnati, Chicago & St. Louis
Railway Company to lay four tracks across Central Avenue.**

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission be and the same is hereby granted to the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to lay four tracks for railroad purposes across Central Avenue, in said city of Cincinnati, between the south line of South Pearl Street and a point in Central Avenue midway between the south line of South Pearl Street and the north line of Second Street, connecting said railway company's tracks now located on the west side of Central Avenue.

SEC. 2. Said tracks shall be constructed under the direction and to the satisfaction of the chief engineer of the Board of City Affairs of said city, and shall be so constructed as not to interfere with the ordinary use or drainage of said street.

SEC. 3. Said railway company shall lay and cause to be placed and maintained between the rails and within two and one half inches thereof, for the full width of the street-crossing, a planking of sound oak plank, securely spiked to the crossties; said planking to be of the same thickness as the depth of the rail, so that the surface of the planking shall be flush with the top of the rail; and oak planking not less than four inches wide, and of the same thickness as that between the rails, shall be firmly spiked to the crossties against the outer edge of both rails, flush with the top thereof, throughout the entire width of the street occupied by said tracks. The said railway company may pave said crossing with asphalt, brick, cement, or other material as will be approved by the Board of City Affairs and its chief engineer, and shall keep the same at all times in a safe condition and proper repair; and on failure of the railway company so to do, after five days' notice, the city shall have the right to make the necessary repairs and collect the expense of the same from said railway company. The railway company shall raise or lower their tracks, at their own expense, to conform with any change

of grade that may be made in said street at said point where it crosses the same.

SEC. 4. Said railway company shall not cause or permit any car or cars or locomotives to block said avenue between the hours of 6 o'clock A. M. and 8:30 A. M., nor between the hours of 4 o'clock P. M. and 6:30 P. M.; nor shall said railway company cause or permit said avenue to be blocked or obstructed at any other time by cars or locomotives standing thereon to the hindrance or inconvenience of travelers or any person or vehicle along or upon said avenue for a longer period than five minutes. Said railway company shall be required to maintain a watchman at said avenue-crossing while switching is being done thereon.

No. 427. Passed November 27, 1899, and approved over Mayor's
disapproval February 19, 1900.

Granting to the Baltimore & Ohio Southwestern Railroad Company permission to lay a single track with turnouts and lateral switches on Valley Street, Lilac Street, Marshall Avenue, and intersecting streets in the City of Cincinnati, Ohio.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Baltimore & Ohio Southwestern Railroad Company be and is hereby granted permission to construct and lay down a single track with turnouts and lateral switches from time to time as may be needed to accommodate the business of the various factories and other business enterprises located upon lands abutting upon said Valley, Lilac, and Township streets and Marshall Avenue, as follows: Beginning at the south end of said Valley Street, four hundred and sixty-eight feet, more or less, south of Queen-City Avenue; thence northwardly within the lines of said Valley Street and Lilac Street crossing Queen-City Avenue, Draper Street, Alfred Street, Straight Street, Marshall Avenue, and Township Street; also on Marshall Avenue, between the right of way of the said Baltimore & Ohio Southwestern Railroad Company and the west line of Spring-Grove Avenue, with such turnouts and switches

to the lines of the abutting lots as may from time to time be requested by the owners thereof, and such as may be necessary to connect said main switch-lines on Marshall Avenue and Valley Street ; and said railroad company is hereby empowered to operate cars thereon by steam or other motive power ; the said grant, however, to be subject to the following terms and conditions :

First—The portion of the pavement, sidewalk, curves, and gutters necessary to be taken up in crossing any intersecting street as now or hereafter improved to be carefully reconstructed in the most improved manner, so as to leave the street and said crossing as near level and as free from obstruction to travel as possible ; the said work at such crossing to be done under the direction of the engineer of the city of Cincinnati and at the cost of said railroad company.

Second—The track of said main switch and its turn-outs and branch switches are to be laid in the most improved manner by said railroad company to the established grade of said streets, upon a roadway constructed and maintained of gravel, dirt, or other like earth material to the width on the top of said roadway on all of said streets of not less than eighteen feet, with such culvert and waterways as the civil engineer of said city may direct, the entire cost thereof to be paid by said railroad company.

Third—That if the said Marshall Avenue, Valley, Lilac, or any street intersecting therewith shall hereafter be improved, then the said railroad company shall bear and pay the cost and expense of making, paving, and keeping in repair in like manner that portion of said improved streets or intersections lying between the rails of said track, switches, and turnouts and three feet on the outside thereof ; and if said company (or its successors or assigns) to whom this grant is made fails as aforesaid to make and keep said portions of said streets and intersections in repair and pay the costs thereof, then it shall be the duty of the Board of City Affairs or its successors to have the said work done at the expense of the said railroad

company; and if it fail or refuse to pay into the city treasury the amount necessary to make such construction or repair for ten days after such work is done, then said Board of City Affairs or its successors may prevent such company from using said streets by removing the rails therefrom.

Fourth—That railway cars may remain standing on said line of track for the purpose of being loaded and unloaded; provided, however, that no cars shall be permitted to remain standing and obstruct any improved intersection or cross street or sidewalk, nor upon the line of said track, after the street therefor has been improved to its full width, except for a reasonable time to load and unload their freight.

Fifth—The city of Cincinnati reserves the right of full control and occupancy of said streets and every part thereof for the construction of any sewer, gas, water, electric, telephone, telegraph, or other conduits, and for all purposes of street and public way improvements, and shall not be liable to said railroad or its successors for any damage for delay or interruption of its traffic, if any there be, for such time as may be necessary to make any such public improvement.

Sixth—The said Baltimore & Ohio Southwestern Railroad Company is not relieved by this grant from liability for any damages that may result to the property abutting thereon caused by its occupancy of said streets for railroad purposes, and in no case shall any change of grade be made thereof without the consent of the said Board of Legislation.

Seventh—The said company shall execute a bond to the city of Cincinnati, in the sum of twenty-five thousand dollars, to save said city harmless from all claims for damages that may accrue and be lawfully established against it by reason of this grant and the occupancy of said streets, and for the faithful performance of all and singular the provisions of this ordinance.

Eighth—That this ordinance shall take effect and be in force from and after the earliest period allowed by law, and that said railroad company shall make a substantial beginning

of said switch improvement within three months, and shall substantially complete the same within fifteen months from the date of the passage of this ordinance; and provided further that in the event of its failure to so begin and complete the same within the aforesaid limitation, then this grant and all rights under the same shall become void and of no effect.

NO. 843. Passed April 28, 1902.

Granting permission to the Baltimore & Ohio Southwestern Railroad Company to lay and maintain a single spur-track in Front Street, from a point in its main track about forty-five feet east of the west line of Freeman Avenue to the north line of Front Street about one hundred and forty-two feet west of the northwest corner of Front Street and Freeman Avenue, in the City of Cincinnati, Ohio.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission be and the same hereby is granted to the Baltimore & Ohio Southwestern Railroad Company to construct, lay down, and maintain a single spur-track in Front Street, in said city of Cincinnati, from a point in the main track of said railroad company in said Front Street, about forty-five feet east of the west line of Freeman Avenue extended to said main track, and extending thence on a curve to the right and in a northwesterly direction to a point in the north line of Front Street about one hundred and forty-two feet west of the northwest corner of Front Street and Freeman Avenue to the property to be occupied by the Cincinnati Iron Store Company, and said railroad company is hereby empowered to operate cars thereon by steam or other motive power.

SEC. 2. Said spur-track shall be constructed under the direction and to the satisfaction of the chief engineer of the Board of Public Service of said city.

NO. 906. Passed August 4, 1902.

Granting to the Baltimore & Ohio Southwestern Railroad Company permission to lay and maintain a single-track switch, crossing Queen-City Avenue, from its track in Valley Street north of Queen-City Avenue into the property of Joseph Joseph & Brothers south of Queen-City Avenue and east of Valley Street.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission is hereby granted to the Baltimore & Ohio Southwestern Railroad Company to lay and maintain a single-track switch from its track in Valley Street, commencing at a point about one hundred and thirty feet north of Queen-City Avenue and continuing southwardly on the east side of Valley Street and crossing Queen-City Avenue at a distance of about twenty-five feet, on the center line, from the center line of the Valley-street track, and entering the property of Joseph Joseph & Brothers at a point about ten feet east of the southeast corner of Queen-City Avenue and Valley Street.

SEC. 2. Said single-track switch thus authorized to be laid shall be laid under the control and direction of the Board of Public Service of the city of Cincinnati.

SEC. 3. The Baltimore & Ohio Southwestern Railroad Company shall restore to perfect condition the gutters, sidewalks, and granite pavement of Queen-City Avenue that may be disturbed by the laying of such switch across said avenue, such restoration to be under the direction and to the entire satisfaction of the Board of Public Service and its chief engineer.

SEC. 4. Such track, as laid and maintained, shall not be used for the transportation of cars by Joseph Joseph & Brothers or by any railroad company between the hours of 5:30 and 8:30 o'clock A. M. and 4:30 and 7:30 o'clock P. M. At no time shall the use of such track for the transportation of cars cause any interruption of ordinary traffic or travel upon said Queen-City Avenue of more than three minutes.

SEC. 5. Said the Baltimore & Ohio Southwestern Railroad Company shall execute a bond to the city of Cincinnati, to the

satisfaction of the Board of Public Service thereof, in the sum of five thousand dollars, to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of said track, and for its compliance with all and singular the terms of this ordinance.

NO. 978. Passed November 17, 1902.

To abolish Harrison-avenue grade crossing on the line of the Baltimore & Ohio Southwestern Railroad and the Cincinnati, Hamilton & Dayton Railroad within the corporate limits of the City of Cincinnati, under the authority of an act of the General Assembly of Ohio, passed May 2, 1902, entitled "An act to abolish grade crossings in municipal corporations."

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That in the opinion of the Board of Legislation of the city of Cincinnati it is necessary to abolish the Harrison-avenue grade crossing on the line of the Baltimore & Ohio Southwestern Railroad and the Cincinnati, Hamilton & Dayton Railroad within the limits of the city of Cincinnati, in accordance with the authority conferred in an act passed by the General Assembly of Ohio on May 2, 1902, entitled "An act to abolish grade crossings in municipal corporations."

SEC. 2. The grade crossing of said railway companies which it is hereby declared the purpose and intention of the Board of Legislation to abolish, by raising or lowering the tracks of said railway companies, or by the construction of such ways and crossings as will accomplish the abolishment of said grade crossing, is at Harrison Avenue within the corporate limits of the city of Cincinnati.

SEC. 3. The Baltimore & Ohio Southwestern Railway Company and the Cincinnati, Hamilton & Dayton Railway Company are hereby required, in accordance with the terms of the act of the General Assembly above referred to, to prepare and submit to the Board of Legislation, within six months from the passage of this ordinance, and in coöperation with the engineer of the city of Cincinnati, known as the "superintendent of track elevation," plans and specifications for the abolishment of said

grade crossing and for any and all improvements necessary to accomplish this end, specifying the grades to be established for the streets, and the height, character, and estimated cost of any viaduct or any way above or below any railroad tracks, and the change of grade required to be made for such tracks, including sidetracks and switches.

SEC. 4. The cost of the improvement and all proceedings as to the same, both before and after the submission of said plans and specifications, shall be in accordance with the provisions of the act of the General Assembly above referred to.

NO. 986. Passed November 24, 1902.

Granting to the Baltimore & Ohio Southwestern Railroad Company permission to lay a switch track at Front and Mill streets, Cincinnati, Ohio.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Baltimore & Ohio Southwestern Railroad Company be and it hereby is granted permission to construct and lay down a switch or spur-track at Front and Mill streets, the same beginning at a point in the present connection track of said railroad in the center of Front Street, the said point lying about one hundred and twenty-five feet west of the westerly side of Mill Street; thence from said beginning point by a curved line and southeasterly direction for a distance of about one hundred and eighty-five feet to the easterly side of Mill Street, as shown on plat hereto attached.

SEC. 2. Said switch or spur-track shall be constructed under the direction and to the satisfaction of the city engineer of the said city, and shall be so constructed as not to interfere with the ordinary use or drainage of the street.

SEC. 3. Said track shall conform to the grade of the street, and said railroad company shall, immediately after laying the track thereon, restore the street where disturbed by it to its present condition.

NO. 1063. Passed March 23, 1903.

Authorizing the Cincinnati, New Orleans & Texas Pacific Railway Company to lay a track on McLean Avenue, with turnouts.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission and authority are hereby granted to the Cincinnati, New Orleans & Texas Pacific Railway Company, lessee of the Cincinnati Southern Railway, to lay a track in McLean Avenue, turning out from the main track of the Cincinnati Southern Railway on its west side one hundred feet south of the south line of Gest Street, and to continue the same by curves and tangents to a point one hundred and fifty feet north of the north line of Eighth Street; and also to lay two switches or turnout tracks from the aforesaid track, one beginning at a point four hundred and three feet south of the south line of Gest Street and turning into private property on the west side of McLean Avenue, and the second switch beginning six hundred and fifty-five feet south of the south line of Gest Street and turning out westwardly to and along the center line of Ninth Street to a point two hundred and thirty feet west of the west line of McLean Avenue, in accordance with plat submitted herewith.

SEC. 2. That said track and switches shall be laid under the direction and supervision and to the satisfaction of the Board of Public Service and its chief engineer.

NO. 119. Passed August 24, 1903.

Granting to the Baltimore & Ohio Southwestern Railroad Company permission to lay a single track on Front Street, and to lay four tracks across Park Alley and Mill Street north of Front Street.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That permission be and the same hereby is granted to the Baltimore & Ohio Southwestern Railroad Company to lay one track of standard gauge for railroad purposes on West Front Street, and also to lay four tracks of standard gauge for railroad purposes across Park Alley and Mill Street, in said

city of Cincinnati; said tracks being more particularly described as follows: Commencing at a point in the present track in Front Street about twenty-five feet west of Ramsey Street; thence by a single track from said beginning point, in a northerly and easterly direction, for a distance of about one hundred and fifty feet to the northerly line of Front Street and to private property; thence crossing private property and widening out to four tracks and crossing Park Alley to the westerly side of Mill Street; thence crossing Mill Street with four tracks in an easterly and westerly direction, and connecting with the new freight-houses to the easterly side of Mill Street, as shown on the plat filed by said the Baltimore & Ohio Southwestern Railroad Company.

SEC. 2. Said tracks shall be constructed under the direction and to the satisfaction of the chief engineer of the Board of Public Service of the city of Cincinnati, and shall be so constructed as to not interfere with the ordinary use or drainage of said street.

SEC. 3. Said railroad company shall lay and cause to be placed and maintained between the rails and within two and one half inches thereof, for the full width of the crossings of said streets and alleys, a planking of sound oak plank, securely spiked to the crossties; said planking to be of the same thickness as that of the rail, so that the surface of the planking shall be flush with the top of the rail; and oak planking not less than four inches in width, and of the same thickness as that between the rails, shall be firmly spiked to the crossties against the outer edge of both rails, flush with the top thereof, throughout the entire width of the streets occupied by said tracks. The said railroad company may pave said crossings with asphalt, brick, cement, granite, or other material as will be approved by the Board of Public Service and its chief engineer, and shall keep the same at all times in a safe condition and proper repair.

No. 444. Passed March 19, 1900.

Authorizing the Cincinnati, Hamilton & Dayton Railway Company to lay a track across Cherry Street.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission and authority are hereby granted to the Cincinnati, Hamilton & Dayton Railway Company to lay one track for railroad purposes across Cherry Street, as indicated on the plan or drawing hereto attached, between Cooper Street and Hoffner Street.

SEC. 2. Said track shall be constructed under the direction and to the satisfaction of the chief engineer of the Board of City Affairs of said city, and shall be so constructed as not to interfere with the ordinary use or drainage of said street.

SEC. 3. The said railroad company shall lay and maintain between the rails and within two and one half inches thereof, for the full width of the street-crossing, a planking of sound oak plank, securely spiked to the crossties; said plank to be of the same thickness as the depth of the rail, so that the surface of the planking shall be flush with the top of the rail; and an oak plank not less than four inches wide, and of the same thickness as that between the rails, shall be firmly spiked to the crossties against the outer edge of both rails, flush with the top thereof, throughout the entire length of the street occupied by said tracks. The railroad company shall raise or lower their tracks, at their own expense, to conform with any change of grade that may be made in said street at said point where it crosses the same.

SEC. 4. Ordinance No. 35, entitled "An ordinance authorizing the Cincinnati, Hamilton & Dayton Railroad Company to lay a track across Cherry Street," passed July 18, 1890, is hereby repealed; the sole intent and purpose of this ordinance being to change the location of the track or switch now crossing Cherry Street, which was constructed by virtue of the permission given by said Ordinance No. 35, to a point fifty feet further north of its present crossing of said street.

No. 47. Passed June 15, 1903.

Authorizing laying of two tracks across Powers Street.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. Permission is hereby granted the Cincinnati, Hamilton & Dayton Railway Company to lay two tracks across Powers Street, as follows: One sidetrack on the east side of the northbound main track of said railway company, crossing Powers Street on a two-degree curve, fifteen feet east of the center of said main track; one switch leading from said sidetrack to the factory of the Randle Machinery Company, crossing Powers Street on a ten-degree curve, thirty feet east of the center of said main track on the north line of Powers Street and thirty-five feet on the south line of Powers Street, subject to the following terms and conditions:

First—Said tracks shall be laid and maintained so that wagons and other vehicles may conveniently cross over them.

Second—Said tracks shall be laid to the satisfaction and under the direction and supervision of the chief engineer of the Board of Public Service of the city of Cincinnati.

No. 528. Passed August 14, 1900.

Granting to the Cleveland, Cincinnati, Chicago & St. Louis Railway Company the right to lay and maintain a single railroad track of standard gauge to connect the property of the Chatfield & Woods Company, fronting on the north side of Pearl Street and the east side of Plum Street, with the tracks in South Pearl Street of the Cleveland, Cincinnati, Chicago & St. Louis Railroad.

Whereas the Chatfield & Woods Company of Cincinnati, Ohio, proposes to erect a substantial fireproof warehouse of six or more stories on its property on the northeast corner of Plum and Pearl streets, with frontage on both streets named; and whereas it is essential to the business of this company that there should be established and maintained a single railroad track of standard gauge to connect said warehouse with the tracks in South Pearl Street of the Cleveland, Cincinnati, Chicago & St. Louis Railroad: There-

fore be it ordained by the Board of Legislation of the city of Cincinnati :

SEC. 1. That permission is hereby granted to the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to lay and to maintain a single track of standard gauge to connect the south front of the warehouse of the Chatfield & Woods Company, at the northeast corner of Plum and Pearl streets, with the tracks of the Cleveland, Cincinnati, Chicago & St. Louis Railroad in South Pearl Street, in accordance with the following terms and conditions :

First—Said track shall be constructed under the direction and to the satisfaction of the chief engineer of the Board of Public Service of Cincinnati, Ohio, in such manner as not to interfere with the present grades of either Plum or Pearl Street, nor with the ordinary uses or drainage of said streets.

Second—The center line of such track shall be, as nearly as practicable, as follows : Beginning at a point eighty-four feet west of the west line of Plum Street, and tangent to a line parallel with and five and one half feet south of the south line of South Pearl Street ; running thence on a curve to the left, and having a radius of two hundred and thirty feet, intersecting the south line of South Pearl Street at a point thirty-four feet west of the west line of Plum Street ; crossing Plum Street and intersecting the north line of North Pearl Street at a point sixty-five feet east of the east line of Plum Street, and becoming tangent to a line parallel with and eighty feet east of the east line of Plum Street.

Third—Said the Cleveland, Cincinnati, Chicago & St. Louis Railway Company shall, in the laying of said track, cause to be placed and maintained between the rails thereof and to within two and one half inches thereof on either side a planking of sound oak plank, securely spiked to the crossties, said planking to be of the same thickness as the depth of the rail, so that the surface of the planking shall be flush with the top of the rail ; and oak planking not less than four inches wide, and of the same thickness as that between the rails, shall be

securely spiked to the crossties against the outer edge of each rail, flush with the top thereof, so that there may be no interference with ordinary traffic and travel on said streets on account of the laying and maintenance of such track.

Fourth—Such track, as thus laid and maintained, shall not be used for the transportation of cars by said the Chatfield & Woods Company or by any railroad company between the hours of 6 and 8:30 o'clock A. M. and 4:30 and 6:30 o'clock P. M. At no time shall the use of such track for the transportation of cars cause any interruption of said streets in the matter of ordinary traffic or travel of more than three minutes.

Fifth—Said the Cleveland, Cincinnati, Chicago & St. Louis Railway Company shall execute a bond to the city of Cincinnati, to the satisfaction of the Board of Public Service thereof, in the sum of five thousand dollars, to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of said track, and for its compliance with all and singular the terms of this ordinance.

No. 931. Passed September 16, 1902.

To authorize the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to lay a railroad track across Sixth Street, west of Carr Street, in the City of Cincinnati, Ohio.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission be and the same is hereby granted to the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to lay a railroad track of standard gauge from its yards on the north side of Sixth Street, west of Carr Street, across said Sixth Street to the south side of said Sixth Street, and into or connecting with the buildings now situated or hereafter to be erected on the south side of said Sixth Street. The location of said track shall be as follows: The center line of said railroad track being one hundred and eight feet west of the west line of Carr Street and parallel therewith, and subject to the following terms and conditions:

First—Said railway company shall take up and remove from said Sixth Street its railroad track located thereon under and by virtue of Ordinance 539, passed June 9, 1893.

Second—Said track to be laid under and by virtue of this ordinance shall conform to the grade of the street, and said company shall immediately after laying the track restore the street where disturbed by them to its present good condition, and shall keep that portion of the street lying between the rails of the track and one foot outside of each of the rails thereof in good repair, and maintain all necessary crossings or gutters under said track; and if said company shall remove said track from said street it shall restore said street to good repair and perfect condition; and all work done on said street in connection with said tracks to be done under the direction and supervision of the chief engineer of the Board of Public Service and at the expense of the said company.

Third—Said company shall lay said track in such manner that wagons and other vehicles may conveniently cross the same; and in case of any change of grade in said street where such tracks are laid, said company shall immediately lay the tracks to conform to the grade as changed at its own expense.

Fourth—Said track shall be subject to removal at any time by order of the Board of Public Service or Board of Legislation; and after two weeks' notice to so remove said track from said street and to restore the said street to good repair, the city may remove said track and restore said street, upon the failure of said company so to do, at the expense of said company.

Fifth—Said company shall execute a bond to the city of Cincinnati, in the sum of three thousand dollars, to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of the laying of said tracks across said Sixth Street, and for the faithful compliance with all and singular the provisions of this ordinance.

Sixth—Said company shall not be allowed to occupy or obstruct said Sixth Street with its cars longer than three

minutes at any one time, and shall not unnecessarily obstruct said street at any time.

SEC. 2. That Ordinance No. 539, passed June 9, 1893, be and the same is hereby repealed, and that this ordinance shall take effect and be in force from and after its passage and the acceptance of its terms and conditions in writing filed with the clerk of this board by said railway company.

NO. 1038. Passed February 9, 1903.

To authorize the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to lay two railroad tracks across Sixth Street, west of Carr Street, in the City of Cincinnati, Ohio.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That permission be and the same is hereby granted to the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to lay two railroad tracks of standard gauge from its yards on the north side of Sixth Street, west of Carr Street, across said Sixth Street to the south side of said Sixth Street, and into or connecting with the buildings now situated or hereafter to be erected on the south side of said Sixth Street. The location of said tracks shall be as follows : The center line of the first of said railroad tracks shall be one hundred and forty-one feet west of the west line of Carr Street, and the center line of the second track shall be one hundred and fifty-five feet west from the west line of Carr Street, and both of said tracks shall be parallel with said Carr Street ; and the grant and permission herein given shall be subject to the following terms and conditions.

First—Said tracks to be laid under and by virtue of this ordinance shall conform to the grade of the street, and said company shall immediately after the laying of the tracks restore the street where disturbed by them to its present condition, and shall keep that portion of the street lying between the rails of the tracks and one foot outside of each of the rails thereof in good repair, and maintain all necessary crossings or gutters under said tracks ; and if said company

shall remove said tracks from said street it shall restore said street to good repair and perfect condition; and all work done on said street in connection with said tracks to be done under the direction and supervision of the chief engineer of the Board of Public Service and at the expense of said company.

Second—Said company shall lay said tracks in such manner that wagons and other vehicles may conveniently cross the same; and in case of any change of grade in said street where such tracks are laid, said company shall immediately lay the tracks to conform to the grade as changed at its own expense.

Third—Said company shall execute a bond to the city of Cincinnati, in the sum of three thousand dollars, to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of the laying of said tracks across said Sixth Street, and for the faithful compliance with all and singular the provisions of this ordinance.

SEC. 2. That Ordinance No. 931, passed September 16, 1902, be and the same is hereby repealed, and that this ordinance shall take effect and be and remain in force from and after its passage and the acceptance of its terms and conditions in writing filed with the clerk of this board by said railway company.

NO. 616. Passed January 21, 1901.

Granting to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company, operating the Cincinnati Street Connection Railway, the right to lay and maintain a track connecting the Elm-street front of the premises of the W. F. Robertson Steel and Iron Company with the track in Front Street of the Cincinnati Street Connection Railway.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the right is hereby granted to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company, operating the Cincinnati Street Connection Railway, to lay and maintain in Front and Elm streets a switch track that shall connect the premises of the W. F. Robertson Steel and Iron Company at their frontage on the west side of Elm Street, extending

south from Front Street, with the track in Front Street of the Cincinnati Street Connection Railway, upon the following terms and conditions :

First—Said track shall be laid under the direction and to the satisfaction of the chief engineer of the Board of Public Service of Cincinnati, in accordance with the accompanying plat (which is made a part of this ordinance for purpose of reference), and in such manner as not to interfere with the ordinary usage or drainage of the portions of Front and Elm streets that it shall occupy.

Second—Said track shall extend from the point in the Cincinnati Street Connection Railway designated in the plat hereto attached, in a southwesterly and southerly direction, to a point in the west side of Elm Street opposite the south line of the premises of said W. F. Robertson Steel and Iron Company.

Third—Said the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company, operating the Cincinnati Street Connection Railway, shall in the laying of said track cause to be placed between the rails thereof, and to within two and one half inches thereof on either side, a planking of sound oak plank, securely spiked to the crossties; said planking to be of the same thickness as the depth of the rail, so that the surface of the planking shall be flush with the top of the rail; and oak planking not less than four inches in width, and of the same thickness as that between the rails, shall be securely spiked to the crossties against the outer edge of each rail, flush with the top thereof, so that there may be no interference with ordinary traffic and travel on said portions of said streets on account of the laying and maintenance of said track.

Fourth — Said track as thus laid and maintained shall be used in transferring cars to and from the frontage of the W. F. Robertson Steel and Iron Company, on the west side of Elm Street, only at such times and during such hours as are now allowed for the use of the connection track in Front Street.

Fifth—Said the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company shall execute a bond to the city of Cincinnati, to the satisfaction of the Board of Public Service thereof, in the sum of five thousand dollars, to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of said track, and for its compliance with all and singular the terms of this ordinance.

No. 754. Passed October 21, 1901.

Granting to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company the right to lay and maintain a track connecting the Eggleston-avenue front of the premises of the I. & E. Greenwald Company with the track in Eggleston Avenue.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the right is hereby granted to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company to lay and maintain in Eggleston Avenue a switch-track that shall connect the premises of the I. & E. Greenwald Company, at their frontage on the west side of Eggleston Avenue, with the track now in Eggleston Avenue, upon the following terms and conditions :

First—Said track shall be laid under the direction and to the satisfaction of the chief engineer of the Board of Public Service of Cincinnati, in accordance with the accompanying plat (which is made a part of this ordinance for the purpose of reference), and in such manner as not to interfere with the ordinary usage or drainage of the portion of Eggleston Avenue that it shall occupy.

Second—Said track shall extend from the point in the Eggleston-avenue main track, designated in the plat attached hereto, in a southeasterly direction to a point in the west side of Eggleston Avenue, opposite the south line of the premises of the I. & E. Greenwald Company.

Third—Said the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company shall in the laying of said track cause to be placed between the rails thereof, and to within two and

one half inches thereof on either side, a planking of sound oak plank, securely spiked to the crossties, said planking to be of the same thickness as the depth of the rail, so that the surface of the planking shall be flush with the top of the rail; and oak planking not less than four inches in width, and of the same thickness as that between the rails, shall be securely spiked to the crossties against the outer edge of each rail, flush with the top thereof, so that there may be no interference with ordinary traffic on said portion of said street on account of the laying and maintenance of said track.

Fourth—Said track as thus laid and maintained shall be used in transferring cars to and from the frontage of the I. & E. Greenwald Company, on the west side of Eggleston Avenue, only at such times and during such hours as are now allowed for the use of the track in Eggleston Avenue.

Fifth—Said the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company shall execute a bond to the city of Cincinnati, to the satisfaction of the Board of Public Service thereof, in the sum of five thousand dollars, to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of said track, and for its compliance with all and singular the terms of this ordinance.

NO. 881. Passed June 30, 1902.

To abolish grade crossings along the line of the Pittsburg, Cincinnati, Chicago & St. Louis Railroad within the corporate limits of the City of Cincinnati, under the authority of an act of the General Assembly of Ohio, passed May 2, 1902, entitled "An act to abolish grade crossings in municipal corporations."

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That in the opinion of the Board of Legislation of the city of Cincinnati it is necessary to abolish the grade crossings along the line of the Pittsburg, Cincinnati, Chicago & St. Louis Railway within the limits of the city of Cincinnati, in accordance with the authority conferred in an act passed by the General Assembly of Ohio on May 2, 1902, entitled "An act to abolish grade crossings in municipal corporations."

SEC. 2. The grade crossings of said railway company which it is hereby declared the purpose and intention of the Board of Legislation to abolish, by raising or lowering the tracks of said railway company, or by the construction of such ways and crossings as will accomplish the abolishment of said grade crossings, are at the following points within the corporate limits of the city of Cincinnati: 1. Niagara Street; 2. Crane Street; 3. Eastern Avenue, "Rookwood crossing"; 4. Litherbury Street; 5. Broad Street; 6. Walden Street; 7. Brooklyn Street; 8. Hazen Street; 9. Hartshorn Street; 10. Vance Street; 11. Harrell Street; 12. Torrence Road; 13. Foster Street; 14. Saint Andrew's Avenue; 15. Audubon Street; 16. Eastern Avenue, "Delta crossing"; 17. Taylor Avenue; 18. Congress Avenue; 19. Footway opposite Tusculum Avenue; 20. Donham Avenue; 21. Tennyson Street; 22. McCullough Street; 23. Carrel Street; 24. Carter Street; 25. Davis Lane; 26. Beechmont Avenue, "Union-levee crossing"; 27. Elmer Street; 28. Eastern Avenue, "Wooster-pike crossing."

SEC. 3. The Pittsburg, Cincinnati, Chicago & St. Louis Railway Company is hereby required, in accordance with the terms of the act of the General Assembly above referred to, to prepare and submit to the Board of Legislation, within six months from the passage of this ordinance, and in coöperation with the engineer of the city of Cincinnati known as the "superintendent of track elevation," plans and specifications for the abolishment of said grade crossings, and for any and all improvements necessary to accomplish this end, specifying the grades to be established for the streets, and the height, character, and estimated cost of any viaduct or any way above or below any railroad tracks, and the change of grade required to be made for such tracks, including sidetracks and switches.

SEC. 4. The cost of the improvement and all proceedings as to the same, both before and after the submission of said plans and specifications, shall be in accordance with the provisions of the act of the General Assembly above referred to.

NO. 923. Passed August 18, 1902.

**Granting permission to the Little Miami Railroad Company to cross
Niagara Street.**

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission be and the same is hereby granted to the Little Miami Railroad Company to extend the sidetracks leading to Brown & Patterson's grain and hay building across Niagara Street, immediately south of the tracks of said company now crossing said street.

NO. 1078. Passed April 27, 1903.

**Authorizing the Pittsburg, Cincinnati, Chicago & St. Louis Railway
Company to construct sidetracks in Water Street, between Main
and Walnut streets.**

Be it ordained by the Board of Legislation of Cincinnati:

That whereas the switching facilities on Water Street between Main and Walnut streets are insufficient to take care of the business of shippers located in this territory, on account of there being but one track located in the middle of the street, which must be used as a main track for the interchange of cars between 6 P. M. and 6 A. M. :

Now, therefore, the said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company is hereby authorized to construct and use, for a period of two years after the date of completion of said track, for the benefit of these shippers a sidetrack along the north side of Water Street, commencing at a point fifty feet west of Main Street in the track now located in the center of Water Street ; thence along the north side of Water Street to the west side of Walnut Street, same to be an extension of the track which is already constructed and used by the James Heekin Company ; also a sidetrack commencing at a point in the track now located in the center of Water Street about one hundred and ten feet west of Main Street ; thence westwardly along the south side of Water Street to the west side of Walnut Street. The material used in this track and the method of

construction to be the same as has already been provided for other sidetracks built in this territory. Provided that there shall be placed and maintained between the rails thereof, and to within two and one half inches thereof on either side, a planking of sound oak plank, securely spiked to the crossties, said planking to be of the same thickness as the depth of the rail, so that the surface of the planking shall be flush with the top of the rail; and oak planking not less than four inches wide, and of the same thickness as that between the rails, shall be securely spiked to the crossties against the outer edge of each rail and flush with the top thereof. The company accepting under this franchise shall restore to good condition the streets and sidewalks where disturbed, and keep the same in good repair at all times during their use of the tracks herein specified. This work to be all done under the direction and to the satisfaction of the Board of Public Service and its chief engineer. After the expiration of two years from the date hereof the Council may cause the removal of said tracks, or may grant to any other company the use thereof upon their payment to the company granted this right a proper proportion of the cost of laying the same.

NO. 223. Passed November 16, 1903.

To repeal an ordinance entitled "An ordinance granting to the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company permission to lay a track to accommodate the business of the Globe Rolling Mill Company."

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the ordinance numbered 29, entitled "An ordinance granting to the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company permission to lay a track to accommodate the business of the Globe Rolling Mill Company, passed June 1, 1903, and approved by the mayor of the city of Cincinnati June 4, 1903, be and the same hereby is repealed.

NO. 120. Passed August 24, 1903.

Granting permission to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company to construct and maintain a single spur-track in Water Street, west of Central Avenue.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That permission be and is hereby granted to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company to construct and maintain a single spur-track in Water Street, in the city of Cincinnati, from a point in the main track of said railway at the intersection of Central Avenue and said Water Street westwardly about one hundred and eighty-five feet, along the north side of Water Street, in front of the property occupied by F. A. Klaine & Co. And said railway company is empowered to operate cars thereon by steam or other motive power.

SEC. 2. Said spur-track shall be constructed in accordance with the attached drawings and under the directions and to the satisfaction of the chief engineer of the Board of Public Service of said city. The material to be used in the laying of this track and the method of construction to be the same as has already been provided for for the sidetracks built in this territory; provided that there shall be placed and maintained between the rails thereof and to within two and a half inches thereof on either side a planking of oak plank, securely spiked to the crossties, said planking to be of the same thickness as the depth of the rail, so that the surface of the plank shall be flush with the top of the rail. An oak planking not less than four inches in width, and of the same thickness as that between the rails, shall be securely spiked to the crossties against the outer edge of each rail and flush with the top thereof. The company accepting this franchise shall restore to good condition the streets and sidewalks where disturbed, and keep the same in good repair at all times of their use of the tracks herein specified; this work to be all done under the direction and to the satisfaction of the Board of Public Service and its chief engineer. Council may cause the removal of said tracks,

or may grant to any other company the use thereof upon their payment to the company granted this right the proper proportion of the cost of laying the same.

No. 121. Passed August 24, 1903.

Granting permission to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company to construct and maintain a single track in Water Street, commencing two hundred and fifty feet west of the west line of Walnut Street and running east to the west line of Walnut Street.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That permission be and the same is granted to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company to construct and maintain a single track in Water Street, off the Street Connection Railway, two hundred and fifty feet west of the west line of Walnut Street and running east to the west line of Walnut Street, along the south side of Water Street.

SEC. 2. Said spur-track shall be constructed in accordance with the attached drawings, and under the direction and to the satisfaction of the chief engineer of the Board of Public Service of said city. The material to be used in the laying of this track and the method of construction to be the same as has already been provided for the sidetracks built in this territory; provided that there shall be placed and maintained between the rails thereof and to within two and one half inches thereof on either side a planking of oak plank, securely spiked to the crossties, said planking to be of the same thickness as the depth of the rail, so that the surface of the plank shall be flush with the top of the rail. An oak planking not less than four inches in width, and of the same thickness as that between the rails, shall be securely spiked to the crossties against the outer edge of each rail and flush with the top thereof. The company accepting this franchise shall restore to good condition the streets and sidewalks where disturbed, and keep the same in good repair at all times of their use of the tracks herein specified; this work to be all done under the direction and to the

satisfaction of the Board of Public Service and its chief engineer. Council may cause the removal of said tracks, or may grant to any other company the use thereof upon their payment to the company granted this right the proper proportion of the cost of laying the same.

No. 141. Passed September 14, 1903.

Granting to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company permission to lay a turnout switch on Eggleston Avenue, near Third Street, to accommodate the business of the Stewart Iron Works.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company be and it hereby is granted permission to construct the spur-track on Eggleston Avenue, same beginning at a point at the intersection of Third Street and Eggleston Avenue, and curving westwardly on to the property of the Stewart Iron Works, as shown on plat hereto attached.

SEC. 2. That said turnout switch on Eggleston Avenue near Third Street shall be constructed in accordance with the attached drawing, and under the direction and to the satisfaction of the chief engineer of the Board of Public Service of said city. The material to be used in the laying of this track and the method of construction to be the same as has already been provided for the sidetracks built in this territory; provided that there shall be placed and maintained between the rails thereof and to within two and one half inches thereof on either side a planking of oak plank, securely spiked to the crossties, said planking to be of the same thickness as the depth of the rail, so that the surface of the plank shall be flush with the top of the rail. An oak planking not less than four inches in width, and of the same thickness as that between the rails, shall be securely spiked to the crossties against the outer edge of each rail and flush with the top thereof. The company accepting this franchise shall restore to good condition the streets and sidewalks where disturbed, and keep the same in good repair at all times of their use of the tracks herein speci-

fied; this work to be all done under the direction and to the satisfaction of the Board of Public Service and its chief engineer. Council may cause the removal of said tracks, or may grant to any other company the use thereof upon their payment to the company granted this right the proper proportion of the cost of laying the same.

NO. 636. Passed March 18, 1901.

Authorizing the Cincinnati Northwestern Railway Company to use, occupy, and cross certain streets and alleys in the City of Cincinnati, Ohio.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission and authority are hereby granted to the Cincinnati Northwestern Railway Company, its successors and assigns, for the right to cross, occupy, and use, in the manner hereinafter described, for railroad purposes, with a single or double track, the following avenues, streets, and alleys, to-wit: Commencing at a point in Linden Street, on the northwest side of the right of way of the Cincinnati, Hamilton & Dayton Railroad Company, where the tracks of the Cincinnati & Northwestern Railway Company as now constructed curve to the southwest into the tracks of the Cincinnati, Hamilton & Dayton Railroad Company's track; thence southeastwardly along said Linden Street across the right of way of the said Cincinnati, Hamilton & Dayton Railroad Company to Spring-Grove Avenue; thence across said Spring-Grove Avenue in a southeastwardly direction to the southeast side thereof.

SEC. 2. The tracks of said railroad shall be laid at the established grade of said street, under the direction and to the satisfaction of the engineer of the Board of Public Service of the city of Cincinnati, and shall be so built and maintained as not to unnecessarily obstruct the ordinary use and drainage of the streets through, over, and across which said railroad shall be constructed; and whenever it becomes necessary to remove any pavement laid in any of said streets the same shall be promptly relaid under the direction and to the satisfaction

of the engineer of the Board of Public Service of the city of Cincinnati, and shall thereafter be maintained in constant good repair by said railway company, its successors and assigns. If any of said streets through, over, or across which said railroad is constructed are not now paved, said railway company, its successors and assigns, shall plank or pave between the rails of said track and one foot on each outside of the same in such manner as to permit teams and vehicles to conveniently and safely pass over the line of said track at all points within said streets, and keep said paving or planking in constant good repair; and all shall be done under the direction and to the satisfaction of the engineer of the Board of Public Service of the city of Cincinnati.

SEC. 3. Said railway company, its successors and assigns, shall pay and hold the city harmless from any and all costs and expenses to be incurred in the construction and maintenance of said work and the railroad authorized hereunder, and also any and all damages for which said city may be made liable by reason of the obstruction and use of said streets, avenues, and public ways, or parts thereof, by said railway company, its successors and assigns.

SEC. 4. Before said company shall commence the construction of any part of said railway upon the streets, avenues, and public ways aforesaid it shall give a bond, payable to the city of Cincinnati, in the penal sum of ten thousand dollars, with surety to the satisfaction of the Board of Public Service of the city of Cincinnati, to comply with the conditions hereof.

SEC. 5. All existing ordinances and parts of ordinances in conflict herewith are superseded hereby.

SEC. 6. The work to be let by the Cincinnati Northwestern Railway Company, its successors or assigns, for the construction contemplated by this ordinance, shall be done as far as practical by laborers that are residents of the city of Cincinnati.

SEC. 7. The work contemplated by this ordinance shall be finished within two years from and after the acceptance

of this ordinance by the Cincinnati Northwestern Railway Company, its successors or assigns, otherwise this ordinance shall be null and void; provided, however, that if said railroad company, its successors or assigns, are prevented by *bona fide* litigation from completing said work within the time above limited, the time for the completion of the same shall be extended for a period of time equal to the period of delay thus occasioned.

SEC. 8. This ordinance shall take effect and be in force from and after the earliest period allowed by law; provided that before any right shall vest under this ordinance said railway company, its successors and assigns, shall, in writing filed with the city clerk, accept the same, and agree to abide by all of its provisions and conditions.

[Acceptance filed April 8, 1901.]

NO. 667. Passed June 3, 1901.

Authorizing the Cincinnati Northwestern Railroad Company to operate their cars by electricity over their line within the corporate limits of Cincinnati.

SEC. 1. Whereas certain plans of construction have been presented to this board for their approval to electrify the Cincinnati Northwestern Railroad over their line within the corporate limits, and whereas said plans meet the approval of this board, therefore be it ordained by the Board of Legislation of the city of Cincinnati, Ohio, that permission and authority be and the same is hereby granted to said the Cincinnati Northwestern Railroad Company to use electricity as a motive power over their said line within the corporate limits of the city of Cincinnati, and that their plan of construction be and the same is hereby adopted and approved, and that said Cincinnati Northwestern Railroad Company are hereby authorized to erect poles and string wires and overhead constructions along their line within the corporate limits of the city of Cincinnati in accordance with said plans and the approval of the city engineer.

NO. 694. Passed March 24, 1902.

An ordinance granting permission to the Cincinnati & Westwood Railroad Company to lay a track.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That permission be and the same is hereby granted to the Cincinnati & Westwood Railroad Company to lay a railroad track of the standard gauge from the property of the Lunkenheimer Company on the north side of Tremont Street, between Lawnway and Beekman streets, across Tremont Street, connecting with the tracks of the Cincinnati & Westwood Railroad Company, on the property of the Lunkenheimer Company situated on the south side of Tremont Street, between Lawnway and Beekman streets, subject to the following terms and conditions :

First—The tracks hereby authorized shall conform to a proper and reasonable grade, in conformity to the proper grade of that portion of Tremont Street in which said tracks are laid and as may be required by the engineer of the Board of Public Service.

Second—The Cincinnati & Westwood Railroad Company shall lay and maintain such tracks in such a manner that wagons and other vehicles may conveniently cross them, and that the drainage shall in no way be interfered with.

Third—Said tracks shall be subject to removal at any time by order of the Board of Public Service or of the Board of Legislation, and the said railroad company shall within two weeks after receiving notice so to do from the Board of Public Service or the Board of Legislation remove said tracks from said street, and restore said street to good repair ; and in the event of failure so to do the city may remove the tracks at the expense of said company.

Fourth—The said the Cincinnati & Westwood Railroad Company shall save the city harmless from any damages for which it may be liable for any injury to persons or property on account of the grant made under this ordinance.

NO. 813. Passed March 24, 1902.

Providing the manner, terms, and conditions upon which certain streets and public ways may be used and occupied by the Cincinnati & Indiana Western Railroad Company for railroad purposes.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Cincinnati & Indiana Western Railroad Company, a corporation under the laws of Ohio, incorporated for the purpose of maintaining and operating a railroad by steam-power, its successors and assigns, be and it is hereby granted the right to use and occupy for railroad purposes the parts of streets, avenues, and public ways intersected or traversed by the railroad tracks, turnouts, and sidetracks of said company upon the line hereinafter described, for the reason that the occupation of said streets, avenues, and public ways is necessary to the location of that part of the said railroad within the limits of the city of Cincinnati, and the same shall be occupied and used in the manner and upon the terms and conditions herein set forth, along and upon the following line, viz.: Beginning at the corporation line at the western boundary of the city at a point about one thousand feet south of the northwest corner of Section 31, Township 3, Fractional Range 2, crossing the road or pike at that point by overhead structure; thence to Quebec Avenue at a point about the intersection of Forbus Avenue, crossing the said Quebec Avenue and the other improved streets west of Forbus by overhead structure; thence to Van Hart Street at a point about one hundred and fifty feet north of Catherine Street; thence continuing eastwardly to North Avenue or street, intersecting the same at a point about four hundred feet east of Van Hart Street, and continuing eastwardly near North Avenue to a point about three hundred feet east of Shadwell Street; thence eastwardly, crossing said Shadwell Street, and crossing by overhead structure Selim Avenue, Orchard Street, and Amor Place; thence northeastwardly to the unimproved street extending from Amor Place to Harrison Avenue, crossing said unimproved street

diagonally; thence eastwardly, crossing Hiawatha Street at a point about three hundred and fifty feet from Harrison Avenue; thence crossing the street extending from State Avenue to Hiawatha Street diagonally; thence to State Avenue, crossing over the same by elevated overhead structure at a point about two hundred and fifty feet from Harrison Avenue; thence continuing said overhead structure to and crossing over Station Street at the point where the same is intersected by the Baltimore & Ohio Southwestern Railway, and continuing said overhead structure southwardly, thereby crossing over said railway and the tracks of the Cincinnati, Hamilton & Dayton Railroad, and any other tracks or streets intersecting the line of said Cincinnati & Indiana Western Railroad, and in like manner crossing Mill Creek on said viaduct to an unimproved street known as Garrard Avenue (formerly Jephtha Street); thence on Garrard Avenue southwardly by trestle to Poplar Street, where the tracks may come to and be constructed at the established grade; thence so continuing southwardly on Garrard Avenue, passing under the Eighth-street Viaduct, to the south line of Budd Street. Any street or avenue not herein mentioned which intersects the line of the said railroad, as hereinbefore set forth, at any point between the boundary of the city aforesaid and Budd Street, may be crossed and used as herein provided by said Cincinnati & Indiana Western Railroad Company; and said company may also cross, use, and occupy by curve tracks extending southeastwardly from the east side of Garrard Avenue at Ninth Street, thence southeastwardly crossing Ninth Street, thence southeastwardly crossing Eighth Street under the viaduct diagonally at a point on the north side thereof about one hundred and twenty feet east of Garrard Avenue, thence curving southeastwardly crossing Horne Street or Avenue about midway between Seventh and Eighth streets, to the terminus of said curve on private property, and with the further right to lay tracks for terminal purposes, and so use and occupy those parts of Seventh and Horne streets lying south of Eighth Street, east of Garrard

Avenue, and west of the tracks of the Cincinnati Southern Railway.

SEC. 2. Not more than two main tracks shall be placed upon any street, avenue, or public way which said company is hereby authorized to cross, use, or occupy, and said tracks shall be of standard gauge and placed as near together as practicable for railroad purposes, and all switches and sidetracks shall be placed as near the main tracks as practicable for railroad purposes; and where not otherwise specified crossings shall be at grade, and all crossings shall be constructed and repaved with first-class material at the expense of the company, the space between the rails to be planked over or filled with other material so as to make a practically smooth, even crossing; and all improved streets in any wise disturbed or upon which any work is done shall be restored by said company to as good condition as they were before such disturbance or the doing of such work. The overhead structure, viaducts, or trestles hereby authorized shall be of safe and substantial material and construction, of such height above the roadway as to permit the unobstructed passage of all persons and vehicles, and as provided by law; and the supports of such overhead structures shall be so placed as to form as little obstruction to the use of the street or avenue as is safe and practicable. All work in or upon any street, avenue, or public way, or directly affecting the same, shall be constructed under the supervision of the Board of Public Service, its engineers and inspectors, and any question arising as to the compliance by said company with the terms of this ordinance as to the construction of said tracks, viaducts, or trestles, shall be submitted to said board. No motive power other than steam shall be used to move cars or engines upon the tracks so authorized to be constructed, or any of them.

SEC. 3. Nothing in this ordinance contained shall be held or taken to confer upon said railroad company any right or interest in the private property of any person or company adjacent to or abutting upon the streets, avenues, and public

ways herein authorized to be used or occupied, and said company shall save the city harmless from any and all claims of any such owner for loss or damage by reason of injury to property caused by such use and occupancy of such streets, avenues, and public ways.

SEC. 4. The rights conferred upon the Cincinnati & Indiana Western Railroad Company by this ordinance are granted upon the following express conditions: Work upon the construction of said railroad shall be commenced within three months after this ordinance takes effect, and shall be completed so as to permit the operation of trains upon the main track within eighteen months thereafter, but any time lost by reason of the delay occasioned by injunction or other litigation shall not be computed as part of the period so limited for the completion of said tracks. No assignment or transfer of the rights hereby granted to the Cincinnati & Indiana Western Railroad Company, or any of them, shall be made to any other company or person at any time prior to the completion of the main track hereby authorized to be constructed so as to permit the regular operation of trains thereon; but nothing herein contained shall be taken to prevent the consolidation of said Cincinnati & Indiana Western Railroad with the Cincinnati, Richmond & Muncie Railroad and Chicago & Cincinnati Railroad at any time. The said company shall give to the city of Cincinnati a bond in the sum of fifty thousand dollars, conditioned for the faithful construction of said railroad according to the terms hereof, so as to operate trains thereon within the time limited by this ordinance, with surety to the satisfaction of the Board of Public Service, with whom said bond shall be filed; and shall likewise, within thirty days from the final approval of this ordinance, file with the Board of Public Service its written consent and agreement to the terms and conditions of the same, and upon the filing of such written consent the same shall be held and taken in connection with this ordinance to constitute an agreement between the city of Cincinnati and the Cincinnati & Indiana Western Railroad Company as to the manner,

terms, and conditions upon which the streets, avenues, and public ways above mentioned may be used and occupied by said company. Any failure or refusal of said railroad company to comply with the terms and conditions of this section shall render this ordinance void, and the city of Cincinnati may thereupon cause all tracks or other structures constructed by said company to be removed from the streets, avenues, or public ways, or any of them, and all rights hereby conferred upon said company shall thereupon cease and determine; but upon due compliance therewith said company may use and occupy said streets, avenues, and public ways in accordance with the laws of the state and ordinances of the city as long as the same are so used in good faith for railway purposes; but in case of the abandonment of any part of any street, avenue, or public way by said company, or the conversion of the same to any other than railway purposes, it shall revert to the city free of any right, claim, or easement of said company.

NO. 122. Passed August 24, 1903.

Defining the manner and conditions of crossing and using certain streets and public ways by the Chicago, Cincinnati & Louisville Railroad Company for railroad purposes.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the method and conditions of crossing and using certain streets and public ways in the city of Cincinnati on the line of the Chicago, Cincinnati & Louisville Railroad Company, successor to the Cincinnati & Indiana Western Railroad Company, a corporation, shall be defined as follows: The center line and the manner of construction of said railroad in relation to the streets and public ways to be crossed and used is practically described as follows: Beginning at a point in the west corporation line of the city of Cincinnati, 625 feet south of a marked stone near the center of Queen-City Avenue; thence in a southeasterly direction crossing Quebec Avenue overhead with a steel bridge, through span, 395 feet south of the south line of Westwood Avenue; thence on trestle and at

grade as now constructed through Catherine Street, crossing Van Hart Street at the present grade of the railroad; thence east, crossing Shadwell Street overhead by steel bridge, clear span, 334 feet south of the south line of Westwood Avenue; thence eastwardly into Esmond Street, leaving the same at the west line of Lot 79; thence eastwardly, crossing Selim Avenue 254 feet on the center line of said avenue south of the south line of Westwood Avenue with steel bridge overhead, clear span; thence eastwardly, crossing Amor Place with steel bridge, clear span, 229 feet, measured on center line of said street south of the south line of Westwood Avenue; thence eastwardly, crossing lane 117 feet east of Amor Place overhead; thence eastwardly, crossing under Hiawatha Street at a point 65 feet west of the center of Meader Street; thence crossing under Meader Street so that the bridge over the railroad shall be five feet above the present grade of said Meader Street, with necessary approaches at a point 146 feet south of the south line of Hiawatha Street; thence crossing Ernst Street at a point 454 feet north of the west line of State Avenue by steel bridge overhead, clear span, first depressing said Ernst Street $4\frac{1}{2}$ feet at said point of crossing, and grading the same uniformly to suit said depression from the south line of Lot 125 to the north line of Lot 116 of Ernst's second subdivision; thence south-eastwardly, crossing State Avenue overhead by steel bridge, clear span, at a point 283.5 feet north of the center line of Ernst Street, measured on the west line of State Avenue; thence continuing said overhead structure to and crossing over Station Street at a point where the same is intersected by the Baltimore & Ohio Southwestern Railway Company; thence continuing by overhead structure southwardly, thereby crossing over said railway and the tracks of the Cincinnati, Hamilton & Dayton Railroad and any other track or streets intersecting the line of the Chicago, Cincinnati & Louisville Railroad, and in like manner crossing Mill Creek on said viaduct to an unimproved street known as Garrard Avenue (formerly Jephtha Street); thence on Garrard Avenue southwardly by trestle to Liberty

Street, where the tracks may come to and be constructed at the established grade; thence so continuing southwardly on Garrard Avenue, passing under the Eighth-street Viaduct to the south line of Budd Street. Any street or avenue not herein mentioned which intersects the line of said railroad as hereinbefore set forth at any point between the boundary of the city aforesaid and Budd Street may be crossed and used as herein provided by the Chicago, Cincinnati & Louisville Railroad Company, successor to the Cincinnati & Indiana Western Railroad Company; and said company may also cross, use, and occupy by curved tracks extending southeastwardly from the east side of Garrard Avenue, Ninth Street, southeastwardly crossing Ninth Street, southeastwardly crossing Eighth Street under the viaduct diagonally at a point on the north side thereof at the intersection of said Garrard Avenue, thence curving southeastwardly crossing Horne Street between Seventh and Eighth streets, to the terminus of said curve on private property, with the further right to lay tracks for terminal purposes, and to use and occupy the parts of Ninth, Seventh, and Horne streets east of Garrard Avenue and west of the tracks of the Cincinnati Southern Railway.

SEC. 2. Not more than two main tracks shall be placed upon any street, avenue, or public way which said company is hereby authorized to cross, use, or occupy, and said tracks shall be of standard gauge and placed as near together as practicable for railroad purposes, and all switches and sidetracks shall be placed as near the main tracks as practicable for railroad purposes; and where not otherwise specified crossings may be overhead, under grade, or at grade, and all crossings shall be constructed and repaved with first-class material at the expense of the company, the space between the rails to be planked over or filled with other material so as to make a practically smooth, even crossing; and all improved streets in any wise disturbed or upon which any work is done shall be restored by said company to as good condition as they were before such disturbance or the doing of such work. The overhead structure, viaducts,

or trestles hereby authorized shall be of safe and substantial material and construction, of such height above the roadway as to permit the unobstructed passage of all persons and vehicles and as provided by law; and the supports of such overhead structures shall be so placed as to form as little obstruction to the use of the street or avenue as is safe and practicable. All work in or upon any street, avenue, or public way, or directly affecting the same, shall be constructed under the supervision of the Board of Public Service, its engineers and inspectors, and any question arising as to the compliance by said company with the terms of this ordinance as to the construction of said tracks, viaducts, or trestles shall be submitted to said board.

SEC. 3. Nothing in this ordinance contained shall be held or taken to confer upon said railroad company any right or interest in the private property of any person or company adjacent to or abutting upon the streets, avenues, and public ways herein authorized to be used or occupied, and said company shall save the city harmless from any and all claims of any such owner for loss or damage by reason of injury to property caused by such use and occupation of such streets, avenues, and public ways.

SEC. 4. The rights conferred upon the Chicago, Cincinnati & Louisville Railroad Company by this ordinance are granted upon the following express conditions: Work upon the construction of said railroad shall be completed so as to permit the operation of trains upon the main track within eighteen months, but any time lost by reason of delay occasioned by injunctions or other litigation shall not be computed as part of the period so limited for the completion of said tracks. No assignment or transfer of the rights hereby granted to the Chicago, Cincinnati & Louisville Railroad Company, successor to the Cincinnati & Indiana Western Railroad Company, or any of them, shall be made to any other company or person at any time prior to the completion of the main track hereby authorized to be constructed so as to permit the regular operation of trains thereon. The bond heretofore given to the city

of Cincinnati, in the sum of fifty thousand dollars, conditioned for the faithful construction of said railroad, shall be continued according to the terms thereof, to operate trains thereon within the time limited by this ordinance, with surety to the satisfaction of the Board of Public Service, with whom said bond shall be filed; and shall likewise, within thirty days from the final approval of this ordinance, file with the Board of Public Service its written consent and agreement to the terms and conditions of the same; and upon the filing of such written consent the same shall be held and taken in connection with this ordinance to constitute an agreement between the city of Cincinnati and the Chicago, Cincinnati & Louisville Railroad Company, successor to the Cincinnati & Indiana Western Railroad Company, as to the manner, terms, and conditions upon which these streets, avenues, and public ways above mentioned may be used and occupied by said company.

No. 1061. Passed March 2, 1903.

Granting consent and permission to the Interurban Railway and Terminal Company for the construction, maintenance, and operation of an electric railway, through the property of the City of Cincinnati, acquired for waterworks purposes in Anderson Township, Hamilton County, and over the Columbia and New Richmond Turnpike, owned by the City of Cincinnati, in Anderson Township, Hamilton County, Ohio.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the consent and permission of the city of Cincinnati is hereby granted to the Interurban Railway and Terminal Company, as successor to the rights and corporate franchises and privileges of the Cincinnati & Eastern Electric Railway Company, both said companies corporations under the laws of the state of Ohio, for the construction and operation of an electric railway upon the Columbia and New Richmond Turnpike, through and abutting upon the waterworks property, upon the terms and conditions set forth in a certain resolution passed by the Board of Trustees, "Commissioners of Waterworks," March 8, 1901, and contained in the minutes of said

board in Vol. 4, page 537 ; said resolution being in the following language :

“*Resolved*, That the application of the Cincinnati & Eastern Electric Railway Company for the consent of the Board of Trustees, ‘Commissioners of Waterworks,’ of the city of Cincinnati to the construction of an electric railway upon the Columbia and New Richmond Turnpike, through and abutting upon the waterworks property, be allowed upon the following terms and conditions :

“1. The tracks of said railway shall be constructed with a double track upon the sides of the roadway, as may be determined by the Board of Trustees, ‘Commissioners of Waterworks.’ The exact location of the tracks and the placing of the material and all work in the construction shall be subject to the orders of the Board of Trustees, ‘Commissioners of Waterworks.’

“2. The roadbed shall be widened to the width required by the standard sections furnished by the chief engineer, and the cost of all work necessary or incidental to such widening of the roadbed shall be paid by the Cincinnati & Eastern Electric Railway Company, including clearing, grading, macadamizing, ditch paving, sodding and riprapping of slopes, extension of culverts, fencing, and right of way from adjoining property-owners.

“3. The work shall be done without interrupting or obstructing travel over the pike.

“4. All damage done to the city property shall be repaired or paid for by the Cincinnati & Eastern Electric Railway Company.

“5. All cost and expense of the work required for change of plans and work already done for the waterworks improvement shall be paid by the Cincinnati & Eastern Electric Railway Company.

“6. The character of ties, rails, and other material entering into the construction of the road shall be subject to the approval of the Board of Trustees, ‘Commissioners of Waterwork.’”

"7. At such places as the tracks of the road are upon or across the roadway of the turnpike, the company shall keep the roadway in repair within the rails and for eighteen inches on each side thereof.

"8. Upon the passage of this resolution the Cincinnati & Eastern Electric Railway Company shall forthwith make application to the county commissioners of Hamilton County for a franchise to operate the road, and the work shall be begun on said road within six months from the granting of such franchise by the county commissioners.

SEC. 2. That the resolution passed by the Board of Trustees, "Commissioners of Waterworks," March 8, 1901, and contained in the minutes of said board, in Vol. 4, page 537, be and the same is hereby approved, and all rights conferred or attempted to be conferred by said resolution, as well as the location of the track, and the placing of material, and all work in the construction of said railway as heretofore or hereafter made by the Cincinnati & Eastern Electric Railway Company and the Interurban Railway and Terminal Company, and approved by the Board of Trustees, 'Commissioners of Waterworks,' be and the same are hereby confirmed by the city of Cincinnati.

[NOTE.—Acceptance filed May 18, 1903.]

NO. 114. Passed August 24, 1903.

Agreeing upon the manner, terms, and conditions upon which the Cincinnati Interterminal Railroad Company may use, occupy, and cross over, along, and upon the streets, alleys, and public grounds of the city of Cincinnati, and operate thereon such portion of its railroad as lies between the Cincinnati, Hamilton & Dayton Railway terminal property, near Fifth and Baymiller streets, and an intersection with the property of the Covington & Cincinnati Elevated Railroad and Transfer and Bridge Company, near the corner of Third and Mill streets.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the city of Cincinnati does hereby grant to the Cincinnati Interterminal Railroad Company the right to cross over and along the streets and alleys hereafter mentioned with a single or double track, and to construct, maintain, and

operate its said railroad over, along, and across said streets and alleys, provided said single or double track, as the case may be, shall be constructed upon an elevated structure over and across said streets and alleys at sufficient height as not to interfere with the ordinary traffic upon said streets, whether by street cars or vehicles, with the right of the Cincinnati Interterminal Railroad Company to erect such poles and wires as may be necessary. The said streets and alleys which said Cincinnati Interterminal Railroad Company is hereby granted the right to cross upon said elevated structure as aforesaid, and the route to be followed by said railroad, being substantially as follows: Beginning at a connection with the tracks of the Cincinnati, Hamilton & Dayton Railway Company near the northwest corner of Fifth and Baymiller streets; thence south and east along and across Fifth Street to private property; thence south and east along and across private property to Avery Street; thence south and east across Avery Street to private property; thence south and east across private property to Baymiller Street; thence in an easterly direction along and across Baymiller Street to private property; thence in an easterly direction along and across private property to Webb Alley; thence in an easterly direction along and across Webb Alley to private property; thence in an easterly direction along and across private property to Stone Street; thence in an easterly direction along and across Stone Street to private property; thence in an easterly direction along and across private property to Carl Street; thence in a southeasterly direction along and across Carl Street; thence south and east along and across private property to a point near the northwest corner of Mill and Third streets; thence in a southeasterly direction along and across Mill and Third streets to private property; thence south and east along and across private property to a point near the intersection of Stits Alley, Brooks Street, Anderson Alley, and a ten-foot alley separating the property of the Covington & Cincinnati Elevated Railroad and Transfer and Bridge Company from the private property

last mentioned; thence south and east along and across said last-mentioned alleys and street to the property of the said bridge company.

SEC. 2. That the city of Cincinnati does further grant to the Cincinnati Interterminal Railroad Company the right to construct and operate a single surface track crossing at grade Anderson Alley and Stits Alley; thence in a westwardly direction across private property to a point near the intersection of Mill and Third streets; thence in a northwesterly direction, crossing at grade the intersection of Mill and Third streets, to private property; thence in a westerly direction across private property to Carl Street; thence in a westerly direction, crossing at grade Carl Street; thence in a westerly direction across private property to Stone Street; thence in a westerly direction, crossing at grade Stone Street, to private property; provided said Cincinnati Interterminal Railroad Company shall also have the right to lay a second surface track crossing at grade Carl and Stone streets.

SEC. 3. The above grant to use and occupy the streets, alleys, and public grounds aforesaid is hereby declared to be upon the terms, conditions, and considerations hereinafter set forth, to-wit:

First—The said Cincinnati Interterminal Railroad Company shall at its own expense, whether by private negotiation or condemnation proceedings or otherwise, acquire the private property necessary for the tracks above mentioned.

Second—In laying its track or tracks along, upon, or over any of said streets, alleys, and public grounds, the said the Cincinnati Interterminal Railroad Company shall, wherever said track or tracks are authorized by this ordinance to be laid upon the surface of the streets, conform to the grades of said streets or alleys and public grounds as they may exist. All tracks shall be so laid or constructed as not to obstruct unnecessarily the ordinary passage along said streets, alleys, and public grounds. If it shall become necessary in the location and construction of its tracks for the said company to

change in any place or places the then existing grade of any of said streets or alleys or public grounds, the character of such change of grade shall be delineated on a plat to be filed in the office of the Board of Public Service or its successors, and approved by said board, and the work in accordance with such plat shall be done under the supervision of the engineer employed by said board; and provided always that said company shall, at its own expense, provide for ample and permanent drainage alongside of or under or across its tracks for all of the rainfall or natural watercourses with which its tracks might otherwise interfere, or which may be hereafter made by the improvement of new streets, and for that purpose shall also make and maintain all necessary gutters, bridges, and culverts for drainage; provided, however, that in the laying and constructing of its said tracks the company shall be permitted, free of charge, to tap any sewer or drain constructed by the city of Cincinnati at any point on the line of said railroad for the purpose of draining the tracks or grounds of said company; and shall, at its own cost, remove any earth or other material, and do all the grading, repaving, and other work which may be necessary to restore the said streets to as good condition as they were in before said work was done; and so long as said tracks shall remain in or over said streets, upon the surface thereof, as herein authorized, said company shall keep that portion of said streets lying between the rails of the track or tracks, and between the tracks where more than one track is laid upon any street, and for one foot on the outside of each outside rail thereof, in good repair, of the same material as is used by the city upon other portions of the street adjacent thereto. And if at any time said company shall remove said track or tracks from said streets, alleys, or public grounds, it shall restore the said streets, alleys, or public grounds to the same condition as are the portions thereof which are maintained by the city, and to such grade as the Board of Public Service or its successors may prescribe, if it does not conform to the existing grade

of said street or streets. Any portion of the pavements of said streets and alleys, including the sidewalks, which it may be necessary to take up or disturb in the location of said tracks shall be properly replaced at the expense of said company; and the gutters at the intersection of the several streets and alleys shall be covered with iron plates, to be laid in such manner as to allow the surface-water to pass freely under them.

Third—The said company shall also have the right to construct and use sidetracks from its own main and connecting tracks, as herein authorized, to the property of adjacent proprietors and shippers of freight who may desire the same; provided, however, that before any connecting or sidetracks, as provided for in this paragraph, shall be constructed a plat of such proposed track or tracks shall be prepared by said company, and filed with and be approved by the Board of Public Service or its successors, and such track or tracks shall be laid in conformity with such plat, and the work shall be done under the direction of the engineer appointed by said board.

Fourth—The speed at which the trains shall be operated over any street surface tracks to be constructed under the authority of this grant shall not exceed six miles per hour between the hours of 6 o'clock A. M. and 8 o'clock P. M., and at other times such speed shall not exceed twelve miles per hour on any street surface track; and provided further that no cars, or engines or motors for the movement of cars, shall obstruct the crossings of any street or alley for a longer time than three minutes during any consecutive period of ten minutes.

Fifth—The maximum charge to be made by the Cincinnati Interterminal Railroad Company for the transferring and carrying of loaded cars over its said tracks shall be no more than one dollar per car of ten-ton capacity for switching one half a mile or less on such tracks; for all distances over one half mile and not exceeding two and one half miles such charge shall not

exceed one dollar and fifty cents per car ; and for all distances over two and one half miles and not exceeding five miles the charge shall not be more than two dollars per car.

Sixth—Upon the written acceptance of this ordinance by the said the Cincinnati Interterminal Railroad Company, filed with the city clerk, this ordinance shall thereby become operative and binding as a contract between the city of Cincinnati and the Cincinnati Interterminal Railroad Company.

Seventh—Within six months from the written acceptance of this grant in the manner above specified the Cincinnati Interterminal Railroad Company shall file with the Board of Public Service a map showing the exact route of its main tracks ; and if said map should not cover all the streets and parts of streets or alleys and public grounds heretofore described and enumerated, then all such parts of streets, alleys, and public grounds not so included shall be exempt from the operation of this grant ; and so far as practicable, and barring all delays growing out of legal proceedings by or against the said the Cincinnati Interterminal Railroad Company arising from the making of this grant, or the acquirements of rights of way, the work upon the construction of the railroad which is to be operated under the authority hereby conferred shall be commenced within six months from the acceptance hereof, and said railroad shall be in operation and open to public patronage within two years after such acceptance ; otherwise the city of Cincinnati shall be entitled to revoke this grant, in the form of an ordinance repealing same. Provided, however, that the Council of the city of Cincinnati may, for reasons appearing sufficient to it, extend the above-mentioned limitations of time for such period or periods of delays as it may deem and declare to be just and proper under the circumstances.

Eighth—For the faithful performance of the terms of this ordinance the said the Cincinnati Interterminal Railroad Company shall execute and deliver to the city of Cincinnati a bond, satisfactory to the mayor of said city, in the penal sum of fifty thousand dollars.

SEC. 4. Nothing in this ordinance contained shall be held or taken to confer upon said railroad company any right or interest in the private property of any person or company adjacent to or abutting upon the streets, avenues, and public ways herein authorized to be used or occupied, and said company shall save the city harmless from any and all claims of any such owner for loss or damage by reason of injury to property caused by such use or occupation of such streets, avenues, and public ways.

SEC. 5. This ordinance shall take effect and be in force and capable of acceptance from and after the earliest period allowed by law; and all the expenses of printing and advertising the same shall be paid by the said the Cincinnati Interterminal Railroad Company. The company shall have ninety days in which to accept this ordinance. If not accepted within ninety days from and after its passage, this ordinance shall become null and void.

[NOTE.—Acceptance filed September 5, 1903.]

NO. 45. Passed June 15, 1903.

**Establishing and creating the office of Superintendent of Track
Elevation and Subways.**

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. There is hereby created and established the office of superintendent of track elevation and subways.

SEC. 2. The duties of the superintendent shall be to investigate and report the proper method, and draw plans and specifications for the abolishment of all steam railroad crossings in the streets, avenues, alleys, and public places at grade within the corporate limits of the city. He shall work in conjunction with the engineer of the Board of Public Service, but shall at all times be subject to the rules, orders, and regulations pertaining to his office as prescribed by Council. He shall be permitted to use the office of said engineer, and all instruments, plats, papers, and records of said office which may be necessary for him to use, in the performance of his duties.

He shall be a competent engineer, well known for his intelligence and capabilities of performing the duties of said office.

SEC. 3. Said superintendent shall be appointed for one year, and shall serve until his successor is appointed and qualified. He shall receive a salary of two thousand five hundred dollars per year, payable in semi-monthly installments.

SEC. 4. The following employees in said office are hereby authorized, to-wit: Two rodmen, who shall each receive a salary of sixty dollars per month; and one stenographer, who shall receive a salary of fifty dollars per month. Said salaries shall be payable semi-monthly, upon payrolls certified by said superintendent of track elevation and subways.

SEC. 5. An ordinance entitled "An ordinance establishing the office of superintendent of track elevation and subways, and defining the duties thereof," passed April 29, 1901, and an ordinance entitled "An ordinance to provide for the appointment of two rodmen and a stenographer for the superintendent of track elevation and subways," passed July 28, 1902, are hereby repealed.

NO. 897. Passed July 28, 1902.

To provide for the appointment of two rodmen and a stenographer for the superintendent of track elevation and subways.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the mayor is hereby authorized to appoint two suitable persons to act as rodmen in the office of and under the control of the superintendent of track elevation and subways at a salary of sixty dollars per month, payable in semi-monthly installments; also a suitable person to act as stenographer in the office of the superintendent of track elevation and subways at a salary of fifty dollars per month, payable in semi-monthly installments; the terms of said offices to be for one year from the date of appointment.

No. 43. Passed September 5, 1890.

Prohibiting the throwing of animal, vegetable, or refuse matter into the Ohio River for a distance of two thousand feet above and two thousand feet below the Waterworks, and providing a penalty therefor.

Be it ordained by the City Council of Cincinnati:

SEC. 1. That it shall be unlawful for any person to dump or throw into the Ohio River, between a point two thousand feet above the City Waterworks and a point two thousand feet below said Waterworks, any animal or vegetable matter, or refuse of any kind; and any person found guilty of so doing shall be subject to a fine of not less than twenty-five dollars and not more than two hundred dollars, or to be imprisoned in the City Workhouse not more than thirty days, or both fined and imprisoned.

No. 4186. Passed March 15, 1889.

To provide safety attachments to those renting power.

Be it ordained by the Common Council of Cincinnati:

SEC. 1. That it shall be unlawful for any one to *sublet* or *rent power* to any one without providing and attaching to the main shaft proper *clutches* or *cutoffs* by which said main shaft can be instantly stopped without waiting to stop the engine or source of power.

SEC. 2. Any person renting or subletting power refusing to, within thirty days after demand has been made, attach such safety devices to said main shaft shall, upon being adjudged guilty in the Police Court, be fined not less than five dollars or more than twenty-five dollars for each and every offense. The police authorities are charged with the enforcement of this ordinance.

No. 1109. Passed September 28, 1896.

To regulate the hauling of sawdust, ashes, etc., through the streets of the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That every person hauling sawdust, ashes, cinders, manure, lime, or any other substance of such a character that it is liable to be blown away or carried off by the wind through or along any of the streets of the city of Cincinnati, whether the same will be hauled in a jolt-wagon or in any other kind of vehicle, shall be required to haul the same in a vehicle which is so thoroughly tight-bedded that none of said substances can fall out upon the streets, and shall also be required to cover completely all of the aforesaid substances in such vehicle with canvas duck in such a manner that the said substances can not be blown from said vehicle or fall off the same.

SEC. 2. By the term "person hauling" is meant not only the person driving the vehicle, but also the owner of such a vehicle.

SEC. 3. Any person who violates the terms of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof in the Police Court of the city of Cincinnati shall be fined in any sum not exceeding twenty-five dollars, together with the costs of prosecution, for each and every offense.

ORDINANCES AUTHORIZING WAGON-SCALES IN STREETS.

R. E. Secrist, junction of Front and Second streets, near Lawrence. (No. 4026, passed November 18, 1887.)

Hudepohl & Kotte, front of Nos. 91 and 93 Clifton Avenue, (No. 4321, passed January 24, 1890.)

The Lane & Bodley Company, John Street south of Water Street. (No. 145, passed March 6, 1891.)

A. B. Apfel, northwest corner of Falke and Molitor streets. (No. 667, passed October 28, 1893.)

The Jones Bros. Electric Company, St. Clair Alley north of Court Street. (No. 695, passed December 8, 1893.)

The Winifrede Coal Company, south side of Giffin Street, near Lawrence. (No. 814, passed June 22, 1894.)

John C. Roth Packing Company, south side of Oehler Street. (No. 943, passed June 21, 1895.)

Early & Daniel, west side of Harriet Street. (No. 1013, passed December 6, 1895.)

Jung Brewing Company, east side of Evans Street. (No. 76, passed October 11, 1897.)

John S. Furlong, west side Plum Street, seventy-five feet north of Second Street. (No. 509, passed July 9, 1900.)

The Gerke Brewing Company, west Canal Street. (No. 561, passed October 29, 1900.)

The Anchor Buggy Company, west side of Berlin Street. (No. 596, passed December 27, 1900.)

Barney Bunke, 1614 Westwood Avenue. (No. 620, passed February 18, 1901.)

The J. A. Fay & Egan Company, John Street, near Front Street. (No. 693, passed July 22, 1901.)

Nicholas Wolff, southwesterly side of Beechmont Avenue, between Eastern Avenue and the P. C. C. & St. L. R. R., in front of feedstore. (No. 725, passed September 9, 1901.)

The Fairmount Brewing Company, Quebec Avenue, opposite Westwood Avenue. (No. 65, passed July 13, 1903.)

NO. 481. Passed June 4, 1900.

Amending Section 13 of an ordinance entitled "An ordinance for the punishment of misdemeanors, and to repeal ordinances therein named," passed September 3, 1856.

Be it ordained by the Board of Legislation of Cincinnati:

(1) That Section 13 of an ordinance entitled "An ordinance for the punishment of misdemeanors, and to repeal ordinances therein named," passed September 3, 1856, be and the same is hereby amended so as to read as follows:

"SEC. 13. *The patent spring balance.*—It shall be unlawful for any person or persons to use the patent spring balance for

the purpose of determining the weight of any article bought or sold within the corporation limits, unless such spring-balance scales shall be supplied with an automatic compensating device to correct the errors caused by change of temperature; or for any person to offer or expose for sale any bread unless the same is made of good, wholesome flour or meal, or both, and all bread offered or exposed for sale shall have the weight of the same stamped on each loaf."

(2) That said Section 13 of said ordinance, passed September 3, 1856, be and the same is hereby repealed.

No. 155. Passed March 14, 1898.

Providing for furnishing and care of a horse and buggy for the sergeant-at-arms.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That an allowance of four hundred dollars per annum be made to the sergeant-at-arms of this board for furnishing, care, and expense of a horse and buggy for the use of said sergeant-at-arms; said allowance of four hundred dollars to be paid out of the incidental fund of this board in monthly installments.

SEC. 2. All ordinances or parts of ordinances conflicting herewith are hereby repealed.

No. 633. Passed March 25, 1901.

To regulate the sale of sheep, lambs, goats, and kids.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That no person shall sell or offer for sale in the city of Cincinnati any sheep, lamb, goat, or kid that has been slaughtered, until the head, feet, pelt, and plucks thereof shall have been completely severed therefrom.

SEC. 2. Whoever violates the provisions of this ordinance shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars.

NO. 503. Passed July 2, 1900.

To prohibit the calling out or habitual solicitation of any trade or business, or the improper conduct of the same, in any public street or place of the city. (Amended by the insertion of the exceptions as to hotels added to Sec. 1 by Ordinance No. 535, passed Sept. 1, 1900, and finally amended as to Sec. 1 by Ordinance No. 545, passed Oct. 8, 1900.)

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful for any person, firm, or corporation, except licensed peddlers, hucksters, farmers, expressmen, hackmen, and cabmen, now or hereafter engaged in any business or calling, or in the purchase, sale, or disposition of any article or thing whatsoever, or carrying on any kind of business in said city of Cincinnati, to call out or to have any one call out such business, or to attempt to purchase, sell, or dispose of any such article or thing whatsoever, or to pursue any such business upon any public sidewalk, street, highway, or public place in the city of Cincinnati, or to habitually solicit from strangers, pedestrians, or persons upon such sidewalk, street, or highway any such trade, business, or calling, or to offensively conduct any such trade, business, or calling upon any premises adjacent to any sidewalk, street, highway, or public place within said city, or to have any other person to do so for him or them; and it shall also be unlawful for any person to so conduct any such business, trade, or calling for any other person, firm, or corporation.

Except that solicitors of hotels having ten or more rooms shall be permitted to solicit custom for such hotels upon the following terms and conditions:

First—That each such hotel solicitor shall obtain from the city auditor, upon issuance to him by the mayor of a proper certificate therefor, a badge designating the hotel for which he may solicit, such badge to be by him conspicuously displayed while he shall be in the act of soliciting business. Such certificate shall be issued by the mayor only upon satisfactory evidence of the good character of the applicant. Such badge shall be issued by the city auditor only upon payment into the treasury of the city, for the benefit of the General Fund, of the sum of twenty-five dollars for each year of use of same.

Second—The person thus authorized and licensed to solicit for a hotel of ten or more rooms shall not ply his vocation in any manner that may be offensive to individuals or to the general public, as by calling in a loud voice, or by pushing or elbowing any person, or by laying on of hands upon any person or persons.

SEC. 2. Any person, firm, or corporation who shall violate any of the provisions of Section 1 of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof by the Police Court shall for each offense be fined in any sum not exceeding fifty dollars and the cost of prosecution.

SEC. 3. All ordinances and parts of ordinances in anywise conflicting with this ordinance are hereby repealed.

NO. 66. Passed June 29, 1903.

Prohibiting the solicitation, in any manner, of any business, occupation, or employment within certain places adjacent to public buildings.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That it shall be unlawful for any person or persons, whether as principal or agent, to call out or solicit, at any time or in any manner, the purchase or sale of any article, goods, wares, or merchandise whatsoever on any street, alley, or public way within the city of Cincinnati, within ten feet of any regularly laid street crossing, which leads to any railroad depot, steamboat landing, hotel, theater, or other public building, or to solicit, in the manner above set forth, on the sidewalk in front of or any place within ten feet of any entrance to any such railroad depot, steamboat landing, hotel, theater, or other public building.

SEC. 2. Any person violating the provisions of this ordinance shall, upon conviction in the Police Court, be fined a sum not less than five nor more than twenty-five dollars, together with the costs of prosecution, for each and every violation.

SEC. 3. All ordinances or parts of ordinances heretofore passed inconsistent with this ordinance shall be and hereby are repealed.

NO. 529. Passed August 14, 1900.

Granting to Thomas J. Emery and John J. Emery and to their heirs the right to have and maintain pipes, for the furnishing of heat, under St. James Avenue, south of Nassau Street.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That Thomas J. Emery and John J. Emery and their heirs be and they hereby are granted the right to have and maintain pipes under St. James Avenue, south of Nassau Street, and to pass across or along the line of said street, either within or without the line of the sidewalk, for the exclusive purpose of furnishing heat to the buildings now or hereafter to be erected upon the real estate upon or near said portion of said street now owned or leased by said Thomas J. Emery and John J. Emery; provided that the heat which may be transmitted through such pipes is to be used exclusively by said Thomas J. Emery and John J. Emery, or by either of them, or by either of their heirs, or by their or either of their tenants, and by no one else. The character of the pipes so to be laid, and the depth to which and the place where they shall be laid, to be approved by the Board of Public Service of Cincinnati, Ohio.

SEC. 2. The said Thomas J. Emery and John J. Emery and their heirs shall have and are hereby given the right, under the direction and supervision of the Board of Public Service of Cincinnati, Ohio, at their own expense, to open the said portion of said St. James Avenue and sidewalks thereon for the purpose of laying, examining, or repairing such pipes, and any openings made by them in said part of said street or in the sidewalks thereon are to be replaced to the satisfaction of the said Board of Public Service or of the engineer of the city of Cincinnati, Ohio.

SEC. 3. The grant herein shall be for the period of ten years.

NO. 907. Passed August 11, 1902.

Granting to the Cincinnati Times-Star Company the right to lay and maintain a pipe connection under and across East Sixth Street.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the right is hereby granted to the Cincinnati Times-Star Company to lay under East Sixth Street, crossing beneath the surface of that street at a depth of seven feet or more, at a point ninety feet, more or less, east of the east line of Walnut Street, a sewer-pipe of ten inches diameter, in which shall be laid pipes for the purpose of transmission of steam.

SEC. 2. Said pipe shall be laid under direction of the Board of Public Service, in such manner as not to interfere with any sewer or other pipes. The right to maintain the same shall be for a period of twenty years. The laying of such pipe shall be at the expense of the said Cincinnati Times-Star Company, and that company shall, under the direction of the Board of Public Service, restore to as good condition as before the disturbance of the street for such laying the surface of the street so disturbed.

STATIONARY ENGINEERS—EXAMINATION AND LICENSE.

This city department no longer exists. The last ordinance was No. 518 (passed July 31, 1900), to amend an ordinance, No. 471, to provide for rules and regulations for the examination and licensing of stationary engineers in charge of stationary engines and boilers, as required by an act entitled "An act for the protection of life and property in cities of the first grade of the first class," passed April 14, 1900. This ordinance has been quite recently nullified by a Supreme Court decision, following that in the Steinkamp case, building inspector's department (fire-escapes), that the act above referred to was in conflict with Section 26, Article 2, of the Constitution. The business of this department has therefore passed under state control.

NAMES OF STREETS.

No. 4108. Passed August 31, 1888.

To name and to change the names of certain streets, avenues, and alleys of the City of Cincinnati, as designated therein.

Be it ordained by the Common Council of Cincinnati:

SEC. 1. That the names of certain streets, avenues, and alleys of the city of Cincinnati be and the same are hereby changed and established, as follows:

- Adam street, from Colerain avenue west to C. W. & B. Railroad, called Draper street.
- Adams street, from Elm to East Plum street, called Odeon street.
- Addie alley, from Westwood avenue south, called Balders alley.
- Addy alley, from Race street east to a point, called Princeton alley.
- Alexander street, from St. Clair street north to Ludlow avenue, called Bishop street.
- Allen avenue, from Paxton avenue west, called Almon avenue.
- Allen avenue, from Spring-Grove avenue east to Colerain avenue, called Monmouth avenue.
- Andress avenue, from Mt. Hope road east, called Bushnell street.
- Andrews street, from Corry to Boone street, called Andy street.
- Anna alley, from Pendleton east to Hunt street, called Bolivar alley.
- Annie street, from Emming to a point north of Warner street, called Victor street.
- Auburn place, from Sycamore west to Locust street, called Victoria place.
- Avery alley, from York to Dayton and Garden streets, called Bright alley.
- Ann street, from West Sixth street north to Warsaw pike, called Warsaw avenue.
- Adams alley, from Linn east to Bell street, called Eye alley.
- Auburn street, from Sycamore north to Vine street, called Sycamore avenue.
- Barr alley, from Mound west to Stone street, called Barrel alley.
- Beech street, from McMillan north to Kemper street, called Livonia street.
- Bell avenue, from Glenway avenue north to section line, called Mansion place.
- Bogen alley, from York street to York alley and Dayton street, called Brighton alley.
- Brook street, from Evans to Factory street (Twenty-first Ward), called Erie street.
- Brooks alley, from Park street to section line (Fairmount), called Union alley.
- Brooks avenue, from Fisher east to Wilson avenue, called Huron avenue.
- Browne street, from McMicken avenue north to Clifton corporation line, called McMicken avenue.
- Brown alley, from Central avenue west to Clarkson street, called Baxter alley.
- Browne alley, from Corry to Freeman avenue, called Block alley.

- Birch avenue, from Grandin road southwest to Woodland avenue, called Freeland avenue.
- Barr street, from Eastern avenue south to Ohio river, called Wooley street.
- Bell street, from Livingston north to Findlay street, called Bauman street.
- Bell street, from Fern north to Moore street, called Delaware street.
- Boone street, from Madison street east to Eden avenue, called Daniels street.
- Brighton street, from Barnard street north to Queen-City avenue, called Buck street.
- Buckeye street, from Main west to Vine street, called Clifton avenue.
- Bogart alley, from Dodsworth avenue to Elmore street, called Tozzer alley.
- Buckeye street, from Washington west to Lane street, called Lyman street.
- Bates avenue, from Chase avenue to northern terminus, called Fairfield avenue.
- Brooklyn street, from Kirby road west to Colerain avenue, called Virginia avenue.
- Beach street, from Spring-Grove avenue to a point southwest of Ford street, called Geringer street.
- Bellevue avenue, from Freeman avenue east, called Klotter avenue.
- Burnet street, from Vine west to Race street, called Baker street.
- Banning street, from Hamilton pike west to Colerain avenue, called Chase avenue.
- Canal street, from Rachel street north, called Gourd street.
- Canal street, from Rose street west, called Duet street.
- Canal street, from Evans street east, called Channel street.
- Carroll street, from Miami canal west to Spring-Grove avenue, called Sassafras street.
- Carr street, from Railroad avenue north to Columbia avenue, called Aspasia street.
- Cemetery street, from Kemper lane east to South Elm street, called Necropolis street.
- Cemetery road, from Warsaw pike south, called Enright avenue.
- Center street, east and west from Mt. Hope road (Twenty-first Ward), called Belmont avenue.
- Center street, from Colerain avenue to Browne street (Camp Washington), called Hopple street.
- Center street, from Barr to Lewis street, called Centaur street.
- Chestnut avenue, from Carson avenue west, called Chestnut-tree avenue.
- Church avenue, from Gilbert avenue east of Maple street, called Churchill avenue.
- Church street, from Depot street to State avenue, called Dutton street.
- Coleman street, from York street north to Harrison avenue, called Colerain avenue.
- College alley, from Milton to a point south of Abigail street, called Pica alley.
- College avenue, from Mt. Hope road northeast to Washington avenue, called Brevier avenue.
- Columbia street, from Main street to Thompson avenue, called Agate street.
- Cypress avenue, from Cedar avenue north, called Minion Avenue.
- Cypress street, from Ashland street to Francis lane, called Bultman street.
- Charles (or Tozzer) street, from Dodsworth avenue to Elmore street, called Spaeth street.
- Chapel street, from Walnut west to Vine street, called Lippencott street.

- Charles street, from Browne street west to C. & B. R. R., called Bader street.
- Charles street, from Cinnamon street northeast to a point, called Revoke street.
- Charles street, from New Baltimore pike north to south of Lucky street, called Seegar avenue.
- Chatham street, from Harrison pike west to section line, called Montrose street.
- Cherry street, from Walnut street north to a point south of Dexter avenue, called Kleine street.
- Chestnut street, from Gilbert avenue east to Elm street, called Foraker avenue.
- Church street, from Pavilion street south to a point, called Guido street.
- Church street, from West Sixth northwest of Stone street, called McConnell street.
- Church street, from McMillan north to Hackberry street, called Hackberry street.
- Clay street, from Madison pike east to Hackberry street, called Clayton street.
- Clay street, from Washington northeast to Oak street, called Kerper avenue.
- Cooper street, from Spring street intersection northwest to west section line, called Champlain street.
- Cross street, from Clifton incline plane west to section line, called Renner street.
- Cross street, from Western Avenue southwest to Duck street, called McRoberts street.
- Cecil, Water, or Tozzer street, from Hanfield street north to a point north of Chase street, called Banning avenue.
- Collins street, from Mt. Hope road southwest to Mt. Echo road, called Aurora avenue.
- Chase avenue, from Woodburn to Wold avenue, called Fairfax avenue.
- Carlisle avenue, from Burnet west to Eden avenue, called Piedmont avenue.
- Carson street, from Eden to Burnet avenue, called Arizona avenue.
- Colerain pike, from Streng or Division street north to corporation line, called Colerain avenue.
- Davies street, from Boal street north to Auburn avenue, called Alma street.
- Depot street, from West Fifth northwest to West Sixth street, called Toledo street.
- Drake street, from Eastern avenue south to Ohio river, called Munson street.
- Delhi and Industry pike called Delhi avenue.
- Dodsworth avenue, from Spring-Grove avenue west to corporation line, called Dremann avenue.
- Eden street, from Buckeye north to Main street, called Antique street.
- Edwards street, from Oscar place north, called Bourgeois street.
- Ellen (or Clara) street, from North avenue to Orange street, called Clara street.
- Evans alley, from Wayne north to St. Clair street, called Diamond alley.
- Eastern avenue, from Southern north to Northern avenue, called Ithaca avenue.
- Elizabeth street, from Chatham street north to Harrison pike, called Betsy street.
- Elizabeth street, from Ludwick southwest to Spring street, called Lokato street.
- Elizabeth street, from Depot street east to C. H. & D. R. R., called Kelso street.

- Elm street, from McMillan north to Chestnut street, called Elmwood avenue.
- Evans street, from Auburn avenue west to Vine street, called Hollister street.
- Fairview avenue, southeast from McHenry road, called Fyffe avenue.
- Fairview avenue, from Madisonville pike north, called Vista avenue.
- Fairview avenue, from McHenry road north to section line, called Fyffe avenue.
- Fifth avenue, from James street to Stock avenue, called Cormany avenue.
- First street, from Southern avenue north, called Viola street.
- Forest street, from Colerain east to Fourth avenue, called Heywood street.
- Fourth avenue, from Marshall avenue to Workhouse, called Massachusetts avenue.
- Fulton avenue, from Washington street east to section line, called Gladstone avenue.
- Ford street, from Spring-Grove avenue southwest to Beech street, called Rawlston avenue.
- Fountain street, from Township street north to Spring-Grove avenue, called Rawson street.
- Fountain street, from McGrew west to Rice, called Winkler street.
- Fountain street, from Sedam street northeast to Delhi pike, called Hartman street.
- Frank street, from Brooklyn street west to Douthwait avenue, called Tarrant street.
- French street, from Ohio river north to Columbia avenue, called Hartshorn street.
- Fourth street, from Fergus east to Dane street, called Bowler street.
- Fourth street, from Dane east to Linden avenue, called Capeller street.
- Garrard avenue, from Horn to Mill creek, called Jephtha avenue.
- Grove street, from Brooklyn west to Doane street, called Druid street.
- Glenway avenue, from Linwood pike north to corporation line, called Monticello avenue.
- Glenway avenue, from Fleming southwest to Ashland street, called Minnehaha avenue.
- Garden street, from M. & C. R. R. west to Beech street, called Groub street.
- Grand street, from Madison pike west to Grandin road, called Beechwood avenue.
- Grand street, from Central avenue north to Holden street, called Iroquois street.
- George street, east of Elm street, called Shillito avenue.
- George street, west of Mound street, called Kenyon street.
- Gulow alley, east of Hamilton pike to Spring-Grove avenue, called Herbert alley.
- Grand avenue, from Crawfish road east to section line, called Rockbridge avenue.
- Hamilton street, from Liberty street southwest of C. H. & D. R. R., called Detroit street.
- Harrison pike, from Mill creek north to corporation line, called Harrison avenue.
- Harrison street, from Broadway east to Culvert street, called Ontario street.
- Hawthorne street, from State avenue southeast, called Saratoga street.
- Helen street, from Hunt street west to a point, called Nellie street.
- Helen street, from St. Clair north to Nixon street, called Imperial street.
- Hillside street, north of Linwood pike, called Thetis street.

- Hillside avenue, from Wright avenue northeast to a point, called Utica street.
- Hillside road, from Goodwin street north, called Pulaski street.
- Hutchinson street, from Hoffner to Bluerock street, called Gulow street.
- Highland avenue, from Carson street south to Earnshaw avenue, called Imogene avenue.
- Hamer street, from Taylor street northeast to Wooster pike, called Stanley street.
- Hanover street, from Church street southwest to section line, called Bismarck street.
- High street, from Evans street east to a point, called Perin street.
- High street, from Barnard street southwest to Western avenue, called Lowry street.
- Hill street, from Central avenue northwest to New Baltimore pike, called Liddell street.
- Hill street, from Glenway avenue south to a point, called Neff street.
- Hill street, from Colerain south to Eastern avenue, called Harrell street.
- Hoffner street, from Stock north to Bates avenue, called Cormany avenue.
- Home street, from McMillan north to Oak street, called Winslow avenue.
- Hoadly street, from Fifth north to Sixth street, called Baynmiller street.
- Hamilton pike, from Spring-Grove avenue north to corporation line, called Hamilton avenue.
- Irwin street, from Millcreek road west to Charles street, called Frederick street.
- James street, from Fountain northeast to Locust street, called Calumet street.
- James street, from Eden avenue east to a point, called Trafalgar street.
- John street, from Spring street north to High avenue, called Massasoit street.
- Johnson street, from Wayne north to St. Clair street, called Powhatan street.
- Josephine street, from Dane avenue west to Hamilton pike, called Pullan avenue.
- Jackson avenue, from Mt. Hope road northeast to a point, called Orleans avenue.
- Jefferson avenue, from Rapidrun road south to a point south of Eighth street, called Tallulah avenue.
- James street, from Colerain avenue to Miami canal, called Town-ship street.
- Jacobs alley, from Harriet street west to a point, called Deming alley.
- Jacobs alley, from Miami canal west to Central avenue, called Laredo alley.
- Kemper street, from Gilbert avenue east to Elm street, called Pallas street.
- Kemper place, from Lawson street south, called Flora place.
- Kinsey street, from State north to Fairmount avenue, called Saturn street.
- Kirby street, from Pavilion north to Hatch street, called Belvedere street.
- Kleine court, from Hackberry to Kleine street, called Pomona court.
- Kibby street, from Montgomery road north to McMillan street, called May street.
- Knowlton street, from Colerain avenue south to Elmore street, called Cecil street.
- Kirby road, from Colerain avenue north to corporation line, called Kirby avenue.

- Lafayette street, from Short to McMillan street, called Marquis street.
Lickrun road, from Queen-City avenue southwest to Warsaw pike, called Quebec road.
Lickrun road, from Section road north, called Quebec road.
Lincoln place, from Hopkins north to Kenner street, called President place.
Ludwick street, from Park avenue south, called Ivan street.
Logan avenue, east from Tusculum avenue, called Sachem avenue.
Lincoln street, from Woodburn avenue west to west section line, called Westminster street.
Locust street, from Lane street east to Madison pike, called Hopper street.
Lake avenue, from Nassau street south to north line of Eden Park, called Luray avenue.
Linden street, from Alfred street northwest to New Baltimore pike, called Fenner street.
Linden street, from Myrtle south to Kemper street, called Preston street.
Locust street, from McMicken avenue northeast to Main street, called Cherokee street.
Lodwick street, from Audubon street west to Drake alley, called Tecumseh street.
Lane street, from ———, called Stanton avenue.
Ludlow avenue, from Spring-Grove avenue south to Miami canal, called Dodsworth avenue.
Lick street, from Kirby road east to Hamilton pike, called Glen-Parker avenue.
Ludlow street, from Fourth street south to Ohio river, called Caledonia street.
McMillan street, from Boone north to St. Clair street, called Mingo street.
Madison street, from Concord west to a point west of Fowler street, called Burbank street.
Madison street, from Elm east and west to East Plum street, called Magnolia street.
Madison street, from Queen-City avenue north to Harrison pike, called Rankin street.
Main street, from Eastern avenue south to Ohio river, called Bradley street.
Main street, from Evans street east to a point west of Mill creek, called West Sixth street.
Main street, from Columbia avenue south to Ohio river, called St. Andrew's street.
Marsden alley, from Langland street east to Fergus street, called Howell alley.
Margaret street, from a point west of Mound west to Baymiller street, called Wingate alley.
Martin street, from Marshall south to a point north of Straight street, called Schott street.
Mary street, from Ellen north to Kilgour street, called Finn street.
May street, from Eastern avenue south to Ohio river, called May-apple street.
Mitchell street, from Eastern avenue south to Taylor street, called Setchell avenue.
Monroe street, from Hopkins north to Kenner street, called Saulsbury street.
Moore street, from Bell street east to a point, called Omaha street.
Morgan street, from Fern street north to a point, called Concordia street.

- Mulberry street, from Chapel north to Chestnut street, called Monfort street.
- Madison street, from McMillan north to St. Clair street, called Scioto street.
- Melancthon street, from Central avenue west to Jones street, called Bauer avenue.
- McMakin street, from Apple to Joe Williams street, called McMakin alley.
- Madison avenue, from Catholic cemetery north to Lickrun pike, called Fountain avenue.
- Madisonville pike, from McMillan street northeast to corporation line, called Madisonville avenue.
- Maple street, from Western avenue northwest to a point, called Moosewood street.
- Miami avenue, from Dixon street north, called Hugo avenue.
- Morris avenue, from Mt. Hope road southwest, called Gabriel avenue.
- Mount Hope road, from West Sixth street north, called Mt. Hope avenue.
- Mount street, from Sycamore west and north to McGrew street, called Excelsior street.
- Myrtle street, from Township north to Hopple street, called Beard street.
- Maple street, from Chestnut street north to a point, called Mentor street.
- Mt. Harrison road, from South avenue (Barrsville), called Grand avenue.
- Madison avenue, 400 feet east of west corporation line, called Buch avenue.
- Northern avenue, from Auburn avenue east to a point, called Superior avenue.
- North street, from Eastern avenue northwest to a point, called Frazer street.
- North avenue, from South avenue west and south to a point west of Ives street, called Northside avenue.
- North avenue, from Washington north to Oak street, called Fredonia avenue.
- North avenue, from Neff avenue east and north to section line, called Kineon avenue.
- Oak avenue, from Lane street east to Gilbert avenue, called Indiana avenue.
- Oak street, from McMicken avenue northeast to Mulberry street, called Cambria street.
- Oak street, from Harrison pike north to State street, called Adler street.
- Oak street, from Mathers street west to Avondale corporation, called Melbourne street.
- Observatory street, from Hill to Hatch street, called St. Gregory street.
- Orchard street, from Tusculum avenue southeast and northwest, called Pocahontas place.
- Orchard street, from West Sixth Street northwest to a point, called Steiner street.
- Orchard street, from Westwood avenue south to a point north of Lionel avenue, called Amor place.
- Oswaldt street, from Queen-City avenue south to a point, called Zinck street.
- Observatory road, from Mitchell west to Baum street, called Monastery street.
- Park place, from Auburn to Bigelow street, called Bullock place.
- Park street, from Irwin street northeast to a point east of Fairmount avenue, called Byington street.

- Pine street, from Queen-City avenue north to Irwin street, called Pinetree street.
- Pond street, from Molitor north to Wayne street, called Seminole street.
- Prospect street, from Fairmount avenue north to Sunset street, called Lucky avenue.
- Prospect street, from Davies east to Young street, called Pueblo street.
- Parker place, from Warsaw pike north to a point, called Parkson place.
- Pendleton avenue, from Crawfish creek north, called Humbert avenue.
- Pine avenue, from Ferris to Observatory avenue, called Masart avenue.
- Price street, from Liberty to a point north of Carmalt street, called Beckett street.
- Park avenue, from Spring street northeast and southeast to Riverside corporation, called Illinois avenue.
- Park avenue, from Bassett road north to Warsaw pike and College avenue, north Glenway, called Boyle avenue.
- Park avenue, from West Sixth northwest to Spring street, called Kansas avenue.
- Parker avenue, from Hamilton pike east to College-Hill Railroad, called Glen-Parker avenue.
- Pine alley, from Queen-City avenue south to Lick run, called White-pine alley.
- Pine alley, from Fifteenth street south to Washington Park, called Yellowpine alley.
- Pitt alley, from Fifteenth north to Adams street, called Blanca alley.
- Railroad avenue, from Little Miami Railroad north, called Walworth avenue.
- Railway avenue, from Budd north to Thomas street, called Veda avenue.
- Riddle street, from York street north to Harrison avenue, called Osiris street.
- Ridge avenue, from Observatory to Brookfield avenue, called Isis avenue.
- Ridgeway avenue, from French east and north to Woodward avenue, called Typhon avenue.
- Rudolph avenue, from North avenue west and south to Neff's south line, called Gerald avenue.
- Rudolph street, from Woodburn west to Durrell avenue, called Hapsburg street.
- Railroad street, from Hamilton pike southwest to Hoffner street, called Vandalia avenue.
- Railroad street, from Carter street northwest to a point north of Thompson street, called Dumont street.
- Richmond street, from Yungbluth avenue east to Main street, called New-Richmond avenue.
- Ringgold street, from Eastern avenue south to Ohio river, called St. Peter's street.
- Railroad street, from Colerain pike south to a point south of Powers street, called Vandalia avenue.
- Rose alley, from Dodson east to Bodman alley, called Whiterose alley.
- Rose alley, from Brooklyn street east to Peach alley, called Red-rose alley.
- Ravine street, from Tusculum east to Undercliff avenue, called Columbia avenue.
- Scott street, from Taylor street northeast to Eastern avenue, called Wakefield street.
- Scott street, from Montgomery pike west to Fowler street, called Manitou street.

- Second street, from Southern north to Northern avenue, called Ingomar street.
- Shields street, from a point north of Emming north to McMillan street, called Chickasaw street.
- Short street, from Brooklyn street northwest to a point, called Clarendon street.
- Short street, from Montgomery pike west to Symmes street, called Des Moines street.
- Spencer street, from Clifton avenue west to a point, called Probasco street.
- Spencer street, from Liberty north to Boal street, called Hiram street.
- Spencer street, from Eastern avenue south to Ohio river, called Marnet street.
- Spencer street, from Davis lane south to Ohio river, called Robb street.
- Spring street, from Colerain avenue northeast to Top street, called Elrhardt street.
- Spring street, from Harrison pike southwest to Prospect street, called Hiawatha street.
- Spring street, from Cooper street northwest to section line, called Longfellow street.
- Spring street, from McMillan north to a point south of Oak street, called Hemlock street.
- Spring street, from Elizabeth street northwest to a point, called Esquimaux street.
- Spring street, from North avenue west to Avondale corporation, called Whittier street.
- State street, from McMillan north to June street, called Rendigs street.
- State street, from New Baltimore pike west to Kinsey street, called Waverly avenue.
- Stone street, from Church street southwest to a point, called Mackinaw avenue.
- Stone street, from Hunt east to State street, called Minnesota street.
- St. James place, from St. James avenue west, called St. Paul place.
- Second avenue, from Charles street east to Workhouse, called Plymouth avenue.
- Section avenue, from Madisonville pike north, called Sumpter avenue.
- Section road, from Mt. Harrison north, called Nelson road.
- Sixth avenue, from Stock avenue north to Workhouse, called Vermont avenue.
- South Auburn avenue, from Saunders street south, called King's terrace.
- South Auburn street, from Saunders street to a point, called King's terrace.
- South avenue, from Westwood avenue south, called Selim avenue.
- South Church street, from McMillan street south, called Sabina street.
- Spring avenue, from Gilbert avenue east to Maple street, called Sparta avenue.
- Spring court, from Vinton northeast to Judson street, called Illyria court.
- State avenue, from Harrison avenue south to German street, called Milwaukee avenue.
- State road, from State avenue west, called Blaine road.
- Stone alley, from Columbia avenue southeast to Ohio river, called Boulder alley.
- Stone avenue, from Mt. Hope road southeast to West Sixth street, called Cameron avenue.
- Summit street, from Auburn avenue west, called Wellington avenue.
- Sycamore street, from Ohio river north to Mt. Auburn, called Sycamore avenue.

- Short street, from Lower River road south opposite Delhi pike, called Delhi avenue.
- Superior street called Spaeth street.
- Southern avenue, from Hunt street east to a point, called Barley avenue.
- Summit avenue, from McMillan south to a point east of Carondolet street, called Salutaris avenue.
- Summit avenue, from Cliff avenue south to a point, called Bonsack avenue.
- Spring alley or Hamilton court, from Hamilton pike east to Langland street, called Moline court.
- Sycamore street, from Woodburn avenue east to ———, called Lincoln avenue.
- Third street, from Southern north to Northern avenue, called Smilax street.
- Third avenue, from Marshall north to Stock avenue, called Sidney avenue.
- Thompson street, from Eastern avenue south to the Ohio river, called Tennyson avenue.
- Torrence street, from Stock avenue to Workhouse, called Sidney avenue.
- Taylor and Bassett road, from Alpine way to Boldface road, called Kalon street.
- Taylor street, from Freeman avenue west to Carr street, called Zachary street.
- Taylor street, from Main street southeast to Crawfish creek, called Taylor avenue.
- Union avenue, from Crawfish road east to east line of Section 26, called Southley avenue.
- Union place, from Auburn street west, called Warton place.
- Undercliff avenue, from Ravine street to the corporation line, called Columbia avenue.
- Van Horn street, from Hoffner south to a point south of Powers street, called Edgewood avenue.
- Walnut avenue, from Willow avenue north, called Wilder avenue.
- Warner street, east to a point of Ohio avenue, called Dryden street.
- Warsaw street, from Lickrun pike south to Guernsey street, called Shadwell street.
- Warsaw pike, from State northwest to Glenway avenue, called Warsaw avenue.
- Washington avenue, from Glenway avenue south, called McPherson avenue.
- Water (or Burt) street, from Waldon west to Reed street, called Marengo street.
- Wells road, from Warsaw pike north, called Austerlitz road.
- Wheeler avenue, from Torrence road northeast to Columbia avenue, called Waterloo avenue.
- Whiteman street, from Bryant to Dixmyth avenue, called Whitfield street.
- William street, from Morgan to McMillan street, called Bennington street.
- Willow avenue, from Lickrun road west to section line, called Latham avenue.
- Willow alley, from East Plum east to Elm street, called Leroy alley.
- Woodward avenue, from Main east to Observatory avenue, called Ticonderoga avenue.
- Walnut street, from Cherry west to Hackberry street, called Fernwood street.

- Walnut street, from Elm street to section line, called Whitlow street.
- Walnut street, from Clay street east to Gilbert avenue, called Altoona street.
- Washington street, from Gilbert avenue northwest to Avondale corporation, called Wehrmann avenue.
- Water street, from Waldon west to Reed street, called Pensacola street.
- Water street, from Washington street northeast to Union Valley road, called Syracuse street.
- Wayne street, from Burnet east to Eden avenue, called Rochelle street.
- Wayne street, from Hill street east to C. H. & D. R. R., called Dempsey street.
- Williams street, from Dodsworth avenue north to Elmore street, called Follett avenue.
- Willow street, from Eastern avenue south to Ohio river, called Crane street.
- Wilson street, from Van Hart street east to the Warsaw pike, called Esmonde street.
- Wilson street, from Horton street south to Queen-City avenue, called Derby avenue.
- Wood street, from Ohio river north to West Fifth street, called Baymiller street.
- Wood street, from McMillan north to Stone street, called Emporia street.
- Warsaw pike, from Plank road northwest to Glenway avenue, called Warsaw avenue.
- Young avenue, from Warsaw pike north to Glenway avenue, called Woodlawn avenue.
- Yungbluth avenue, from Eastern avenue to Ohio river, called Congress avenue.
- street, from Taylor and Bassett road, Section 29, called Littleton lane.
- street, from Colerain avenue north to C. W. & B. R. R. depot, called Custis avenue.
- street, on east side C. W. & B. R. R., from Streng street to Ludlow avenue, called Pontiac street.
- alley, from Chase street south to Spring alley or Hamilton court, called Ingol alley.
- alley, from Hamilton pike east to Fergus street, called Kendall alley.
- alley, from Hamilton pike east to Fergus street, called Marsden alley.
- alley, from Knowlton north to Chase street, called Grey alley.
- alley, from Chase street south to Moline court, called Baltzer alley.
- alley, from Kendall alley north to Pope alley, called Honer alley.
- alley, south of Elmore street, from Ford street east to Mill creek, called Creek alley.
- alley, from Colerain avenue southwest to Knowlton street, called Blinn alley.
- alley, from Spring-Grove avenue northwest to Elmore street, called Tozzer alley.
- alley, from Dodsworth avenue northwest to Elmore street, called Gipsy alley.
- alley, from Dodsworth avenue northwest to Elmore street, called Enos alley.
- alley, from Gulow northwest to or near Bluerock street, called Hogan alley.

- alley, from Streng southeast to Spring or Ehrhardt street, called Macklin alley.
- alley, from Macklin alley eastwardly about 160 feet, called Miles alley.
- alley, from south line of Morris & Smith's subdivision north-west to Mill creek, called Sechler alley.
- alley, from Beech (now Gerringer) street southeast to south line of Morris & Smith's subdivision, called Harlow alley.
- alley, from Chase north to Ellis street, called Harwood alley.
- alley, from Harwood alley eastwardly 226 feet, called Gifford alley.
- alley, from Turrell west to Delaney street, called Cole alley.
- alley, from Hutchinson west to a point 100 feet west of Delaney, called Vint alley.
- alley, from Grand avenue to Mt. Hope road in Section 29, called Jack alley.
- alley, from Lick to Ennis street, called Lena alley.
- Private alley, from Elmore street south to a point, called Ankenbauer alley.

SEC. 2. All ordinances and parts of ordinances inconsistent with the provisions of this ordinance shall be and the same are hereby repealed.

By ordinances passed subsequently additional changes of names have been made, as follows :

- Auburn avenue, from Burnet avenue west, change to East Auburn avenue. (Ord. 4142.)
- Arbigust street change to Vernon place. (Ord. 89.)
- Alley running from Stock alley to Stock avenue, between Plymouth avenue and Sidney avenue, named Holder alley. (Ord. 973.)
- Alley between Jefferson avenue and Fountain street, and running north and south from St. Clair street to Greenwood street, named Voss alley. (Ord. 181.)
- Alley in block bounded by Burns, St. Michael, Neave, and Storrs streets, named Deselaers alley. (Ord. 1064.)
- Bradley street, from Eastern avenue south to the Ohio river, change to Carrel street. (Ord. 4145.)
- Boyle avenue, from Bassett road to Glenway avenue, change to Elberon avenue. (Ord. 4175.)
- Banning avenue, from Hanfield street to a point north of Chase avenue, change to Pitts avenue. (Ord. 4248.)
- Blanchard avenue, from Callege avenue to Glenway avenue, change to Mansion avenue. (Ord. 4355.)
- Butcher alley, from Baymiller to Central avenue, change to Wilminck street. (Ord. 40.)
- Bultman street change to Cypress street. (Ord. 68.)
- Beckett street, from Liberty street to Saunders street, change to Highland avenue. (Ord. 796.)
- Burgoyne alley named. (Ord. 869.)
- Caledonia street, from Fourth street to the Ohio river, change to Ludlow street. (Ord. 4140.)
- Cambria street change to Frintz street. (Ord. 4211.)
- Cherokee street change to Lang street. (Ord. 4211.)

- Crawfish road change to Delta avenue. (Ord. 4213.)
- Cemetery and Cross Lane streets, known as Necropolis street, change to Curtis street. (Ord. 4324.)
- Chicago avenue change to Woodbridge place. (Ord. 4356.)
- Cherokee or Lang street change to Main street. (Ord. 69.)
- Carthage pike, north of Erkenbrecher avenue, change to Vine street. (Ord. 158.)
- Christian street change to Northside avenue. (Ord. 396.)
- Clarkson street, from Bank street to Central avenue, change to Linn street. (Ord. 655.)
- Crawfish-creek road north to Linwood road, known as Church avenue, change to Grace avenue. (Ord. 420.)
- Delta avenue in the Riverview Syndicate, and that portion of old Crawfish road which is a continuation of said Delta avenue in the Riverview Syndicate, to Empress avenue. (Ord. 968.)
- Dodd's place, between St. Paul place and Nassau street, change to Luray avenue. (Ord. 456.)
- Donham avenue named. (Ord. 602.)
- Evans alley, from Vine street to Loth street, change to St. Joe street. (Ord. 88.)
- Erkenbrecher avenue and Carthage pike, north of Erkenbrecher avenue, change to Vine street. (Ord. 158.)
- Fairview avenue, north of Straight street, change to University court. (Ord. 924.)
- Feemster alley, east from Stites avenue and north of Eastern avenue, named. (Ord. 807.)
- Fulton street, from its western terminus to Carrel street, change to Holbrook avenue. (Ord. 1044.)
- Gerald avenue change back to Rudolph avenue. (Ord. 4256.)
- Hopper street, from Staunton avenue to Madison pike, change to Locust street. (Ord. 4183.)
- Hunt street, from McMillan street to north corporation line, change to Reading road. (Ord. 51.)
- Illyria place change to Sage avenue. (Ord. 4185.)
- Indiana avenue change to Oak street. (Ord. 170.)
- Ihorst place named. (Ord. 601.)
- Imogene avenue change to Highland avenue. (Ord. 777.)
- Kineon avenue, from 375 feet south of Mistletoe street westwardly 125 feet to Neff avenue, change to Maxwell place. (Ord. 4184.)
- Kalon avenue, from Boldface road to Mt. Hope road, change to Bassett road. (Ord. 457.)
- Kay street named. (Ord. 652.)
- Kinsey avenue and Morgan street, between Auburn avenue and Hunt street, change to Kinsey avenue. (Ord. 906.)
- Kleine street and Cherry street to the name of Cleinview avenue. (Ord. 942.)
- Lawson street change to Edgecliff road. (Ord. 991.)
- Livonia street, north from McMillan street, change to Kemper lane. (Ord. 4183.)
- Luray avenue, from Nassau street south to north line of Eden Park, change to Dodd's place. (Ord. 4212.)
- Lang or Cherokee street changed to Main street. (Ord. 69.)
- Lodge alley, between Fifth and Sixth streets, change to Fountain place. (Ord. 411.)
- Milwaukee avenue change back to State avenue. (Ord. 4143.)
- Marlborough place, from Main to Auburn avenue, change to Huntington place. (Ord. 69.)

- McMicken avenue, between McMicken avenue proper and the Miami and Erie canal, change to Mohawk place. (Ord. 133.)
- Madisonville pike, from McMillan street, change to Woodburn avenue. (Ord. 157.)
- Montgomery road, between Hunt street and Gilbert avenue, change to Florence avenue. (Ord. 713.)
- Monticello avenue, from Linwood road to corporation line, change to Delta avenue. (Ord. 776.)
- Morris place, from Eastern avenue to alley south of Columbia avenue, change to Donham avenue. (Ord. 603.)
- Necropolis street, change to Curtis street. (Ord. 4324.)
- Nellie street, west from Hunt street, change to Helen street. (Ordinance 143.)
- New Baltimore pike, from its intersection with Western avenue to the north corporation line, change to Baltimore avenue. (Ord. 3979.)
- New Richmond avenue, from Congress avenue to the corporation line, change to Kellogg avenue. (Ord. 631.)
- New road, from McHenry road southeast, change to Cavanaugh avenue. (Ord. 969.)
- New street, connecting the west side of Loth street at its present northern terminus with the east side of Vine street, named Thill street. (Ord. 383.)
- Ontario street, east of Broadway to Culvert street, change to Harrison street. (Ord. 4140.)
- Pocahontas place, from Tusculum avenue southeast and northwest, change to Morris place. (Ord. 4145.)
- Pallas street, from Gilbert to Elmwood avenue, change to Harvey street. (Ord. 4183.)
- Parallax street change to Loudon avenue. (Ord. 4214.)
- Patterson alley, from Walnut to Main street, change to Government place. (Ord. 96.)
- Prospect street, from section line to Renner street, change to Renner street. (Ord. 1041.)
- Pulaski street, between Taylor avenue and Tusculum avenue, change to Vineyard place. (Ord. 641.)
- Rapidrun road change to St. Lawrence avenue. (Ord. 38.)
- Rendigs street, between McMillan and June streets, change to Essex place. (Ord. 460.)
- Rockbridge avenue change to Grandin road. (Ord. 1008.)
- Sycamore street, from Saunders street north to Vine and Corry streets, change to Auburn avenue. (Ord. 4142.)
- Staveley street change to Convent place. (Ord. 4146.)
- Storrs turnpike or Plank road, from State or Milwaukee avenue to Warsaw pike, change to Wilder street. (Ord. 4255.)
- South Branch road, from Glenway avenue north to terminus, change to Plymouth avenue. (Ord. 108.)
- Southey avenue change to Union avenue. (Ord. 132.)
- Scott street change to Delta avenue. (Ord. 210.)
- Shillito avenue change to Shillito place. (Ord. 817.)
- Straight street, between Fairview avenue and Clifton avenue, change to Fairview avenue. (Ord. 923.)
- Typhon avenue, from French east and north to Ticonderoga, change to East Ridgeway avenue. (Ord. 4141.)
- Ticonderoga avenue, from Main avenue east to Observatory avenue, change to Blair avenue. (4141.)
- Turner alley, north from Bank street, change to Turner street. (Ord. 26.)

Tallulah avenue, from Rapidrun road south, change to Academy avenue. (Ord. 37.)
 Victoria place, from Sycamore west to Locust street, change to Auburn place. (Ord. 4145.)
 Victoria or Auburn place, from Main to Sycamore street, change to Malvern place. (Ord. 69.)
 Wakefield street, from Taylor street northeast to Eastern avenue, change to Scott street. (Ord. 4166.)
 Wellington avenue change to Wellington place. (Ord. 4174.)
 Whitney court change to Armory place. (Ord. 4242.)
 Westminster street, from Woodburn avenue west to west section line, change to Lincoln avenue. (Ord. 1045.)
 Zigzag avenue change to Fairview avenue. (Ord. 4191.)

NO. 21. Passed June 1, 1897.

To change the names of certain streets and avenues of the city of Cincinnati as designated therein, and changes by other ordinances.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the names of certain streets and avenues of the city of Cincinnati be and the same are hereby changed and established as follows :

Auburn avenue, First Ward, called Arnold street.
 Avon street, First Ward, called Leonard street.
 Baltimore street, Eleventh Ward, called Goethe street.
 Beechwood avenue, located in what was formerly known as the village of Westwood, called Epworth avenue.
 Burnet avenue, located in what was formerly known as the village of Clifton, called Greendale avenue.
 Belmont place, Second Ward, called Tuxedo place.
 Belvedere street, Twenty-eighth Ward, called Beldare avenue.
 Barton street, in what was formerly known as the village of Linwood, called Windisch avenue.
 Bassett street, First Ward, called Beverly avenue.
 Bauer street, Twelfth Ward, called Polk street.
 Beech avenue, Twenty-ninth Ward, from Glenway avenue to Lehman road, called Wing street.
 Beech street, Thirty-first Ward, formerly Avondale, called Emery street.
 Beech avenue, Twenty-ninth Ward, formerly Riverside, called Lombard street.
 Beechwood avenue, First Ward, in what was formerly called the village of Linwood, called LeBlond avenue.
 Bell avenue, from Glenway avenue north, Twenty-ninth Ward, called Putnam street.
 Bell avenue, Twenty-ninth Ward, formerly Riverside, called Bange street.
 Betsy street, Thirtieth Ward, called Clifford street.
 Blaine avenue, Twenty-fourth Ward, called Meeker street.
 Belair avenue, Twenty-ninth Ward, called Bulwer street.
 Brown street, Twenty-ninth Ward, in what was formerly known as the village of Riverside, called Fleaher street.
 Bruce street, Twenty-sixth Ward, called Paul street.
 Bruce street, Thirtieth Ward, called McBrayer street.

Bullock place, Twenty-seventh Ward, called Park place.
Bruce street, Twenty-ninth Ward, in what was formerly known as the village of Riverside, called Colfax avenue.
Chestnut street, Thirtieth Ward, in what was formerly known as the village of Westwood, called Lischer avenue.
Catherine street, Twenty-ninth Ward, called Lydia street.
Cedar street, Thirtieth Ward, called Davoran street.
Center street, First Ward, in what was formerly known as the village of Linwood, called Garretson avenue.
Center street, Thirty-first Ward, in what was formerly known as the village of Avondale, called Jay street.
Center avenue, Thirtieth Ward, called Rosewood avenue.
Central avenue, Thirty-first Ward, called Hearne avenue.
Center street, Thirty-first Ward, formerly Clifton, called Juergens avenue.
Center street, Thirty-first Ward, from Middleton avenue to Cooke avenue, formerly the village of Clifton, called Shiloh street.
Cleveland street, Fourth Ward, called Reedy street.
Cliff street, First Ward, called Harold street.
Cook street, Thirty-first Ward, formerly Clifton, called Telford street.
Cook street, in what was formerly known as Avondale, called Norwich street.
County road, Thirtieth Ward, called Oskamp avenue.
Crescent street, Thirtieth Ward, called Circle street.
Cross street, Thirtieth Ward, called Cambria street.
Davis avenue, Thirtieth Ward, in what was formerly known as the village of Westwood, called Craig avenue.
Delaware street, Second Ward, called Bathgate street.
Dexter street, First Ward, called Stockton street.
Dexter street, Twenty-eighth Ward, called Bear street.
Dutton avenue, Thirty-first Ward, in what was formerly known as the village of Avondale, called Perkins avenue.
Elmwood street, Thirtieth Ward, in what was formerly known as the village of Westwood, called Urwiler avenue.
Eastern avenue, Thirtieth Ward, in what was formerly known as the village of Westwood, called McHenry avenue.
Elizabeth street, Thirty-first Ward, in what was formerly known as the village of Avondale, called Purdue street.
Elmwood avenue, First Ward, in what was formerly known as the village of Linwood, called Elmer street.
Erie avenue, Thirty-first Ward, in what was formerly known as the village of Clifton, called Lillard avenue.
Euclid avenue, Twenty-ninth Ward, in what was formerly known as the village of Riverside, called Frey avenue.
Franklin avenue, Thirtieth Ward, in what was formerly known as the village of Westwood, called Fenton avenue.
Fairview avenue, Thirtieth Ward, called Montana avenue.
Ferris avenue, First Ward, called Wilmer avenue.
Forest avenue, Thirtieth Ward, called Werk road.
Forest avenue, First Ward, called Miami avenue.
Forest avenue, Twenty-sixth Ward, called Humboldt avenue.
Fowler avenue, Twenty-fifth Ward, called Rooney street.
Franklin avenue, First Ward, in what was formerly known as the village of Linwood, called Columbia avenue.
Frederick avenue, Thirtieth Ward, called Knox street.
Glenwood avenue, Thirtieth Ward, in what was formerly known as the village of Westwood, called Broadwell avenue.
Glenway avenue, former village of Clifton, called Glenmary avenue.

- Garden street, Twenty-ninth Ward, called Galion street.
Garden avenue, First Ward, in what was formerly known as the village of Linwood, called Greist street.
Gilbert avenue, Thirty-first Ward, in what was formerly known as Clifton, called Sherlock avenue.
Glenway avenue, First Ward, called Panama street.
Graham avenue, Twenty-fourth Ward, called Barbor street.
Grandin avenue, First Ward, called Grandin road.
Grandview avenue, Thirtieth Ward, called Daytona avenue.
Grand street, First Ward, called Custer street.
Greenwood street, Twenty-eighth Ward, called Raine street.
Gerard avenue, Twenty-ninth Ward, in what was formerly known as the village of Riverside, called Eloise avenue.
Harvey avenue, Second Ward, called Yale avenue.
Hamer street, First Ward, in what was formerly known as the village of Linwood, called Linwood avenue.
Harriet avenue, Thirty-first Ward, in what was formerly known as the village of Clifton, called Wuest street.
Hatch street, Twenty-ninth Ward, in what was formerly known as the village of Riverside, called Fithian street.
Hawthorne avenue, Thirtieth Ward, in what was formerly known as the village of Westwood, called Stanhope avenue.
Heidelberg avenue, in Thirtieth Ward, village of Westwood, called Hildreth avenue.
Hemlock avenue, First Ward, called Breen street.
Henry street, Twenty-fifth Ward, called Lehe street.
Henry avenue, Twenty-ninth Ward, called Norma street.
Highland avenue, Thirtieth Ward, in what was formerly known as the village of Westwood, called Newport avenue.
Hollywood avenue, in the Thirtieth Ward, village of Westwood, called McLelland avenue.
Harrison street, Sixth Ward, called Pioneer street.
King's terrace, Twenty-seventh Ward, called South Auburn avenue.
Lafayette avenue, Twenty-fourth Ward, called Marquis avenue.
Langdon road, First Ward, in what was formerly known as the village of Linwood, called Davenport street.
Linden avenue, Thirty-first Ward, in what was formerly known as the village of Avondale, called Hale avenue.
Linden avenue, Thirtieth Ward, in what was formerly known as the village of Westwood, called Buell street.
Linden avenue, Thirty-first Ward, in what was formerly the village of Clifton, called Whitfield avenue.
Linn street, First Ward, in what was formerly known as the village of Linwood, called Heekin avenue.
Linwood pike, First Ward, in what was formerly known as the village of Linwood, called Linwood avenue.
Linwood avenue, Thirtieth Ward, in what was formerly known as the village of Westwood, called Junietta avenue.
Linden lane, First Ward, in what was formerly known as the village of Linwood, called Columbia avenue.
Llewellyn avenue, Thirty-first Ward, called Bancroft avenue.
Locust street, Thirty-first Ward, formerly known as the village of Avondale, called Camden street.
Locust street, First Ward, in what was formerly the village of Linwood, called Bouton street.
Locust street, in Eleventh and Twenty-seventh wards, called Roberta street.
Logan street, First Ward, called Sachem street.

Ludlow avenue, Thirty-first Ward, called Jefferson avenue.
Madisonville avenue, First and Twenty-sixth Wards called Madison road.
Mears avenue, Thirty-first Ward, formerly Avondale, called Glenwood avenue.
Mitchell street, Fourth Ward, called Fagin street.
Mound street, Thirty-first Ward, in what was formerly known as the village of Avondale, called Prospect place.
McMillan street, Thirty-first Ward, in what was formerly known as the village of Avondale, called Knott street.
Main street, Twenty-ninth Ward, formerly known as the village of Riverside, called Cappel street.
Maple avenue, Thirtieth Ward, called Kleemeier street.
Maplewood avenue, in First Ward, formerly known as the village of Linwood, called Rosedale avenue.
Marion street, Second Ward, Walnut Hills, called Arden street.
Maxwell avenue, Twenty-ninth Ward, in what was formerly known as Riverside, called Portland avenue.
May street, Twenty-ninth Ward, in what was formerly known as the village of Riverside, called Kistner street.
Mayhew street, Twenty-ninth Ward, formerly known as the village of Riverside, called Statham avenue.
Miami street, Eleventh Ward, called Seitz street.
Monroe street, Thirty-first Ward, in what was formerly known as the village of Avondale, called Norway avenue.
Morris place, Twenty-ninth Ward, Price Hill, called Underwood place.
Neff road, Twenty-ninth Ward, called Ring place.
Northern avenue, Thirtieth Ward, called Shelby street.
Northside avenue, Twelfth Ward, called Lowell avenue.
Oak street, First Ward, called Morse street.
Oaks avenue, Thirtieth Ward, called Wolf street.
Oakwood street, Thirtieth Ward, formerly known as the village of Westwood, called Sheridan street.
Olive avenue, Twenty-fifth Ward, called Morlan street.
Olive avenue, Twenty-ninth Ward, formerly the village of Riverside, called Lee street.
Orchard street, Thirtieth Ward, called Regan street.
Orchard street, Twenty-eighth Ward, called Lossing street.
Orchard avenue, First Ward, village of Linwood, called Archer avenue.
Osiris street, Twenty-third Ward, called Winchell avenue.
Park place, First Ward, in what was formerly known as the village of Linwood, called Moyer place.
Park avenue, First Ward, called Salem street.
Parker avenue, Twenty-ninth Ward, Riverside, called Barkley avenue.
Pleasant street, Thirtieth Ward, in what was formerly known as the village of Westwood, called Gamble street.
Plymouth avenue, Twenty-fourth Ward, called Henshaw avenue.
Powers street, First Ward, in what was formerly known as the village of Linwood, called McClure avenue.
Prospect avenue, Thirty-first Ward, formerly Clifton, called Hosea avenue.
Prospect place, Thirty-first Ward, formerly Clifton, called Waverly avenue.
Prospect place, Twenty-ninth Ward, Price Hill, called Zech street.
Quarry street, Twelfth Ward, called Berning street.
Ridgeway avenue, First Ward, called Richwood avenue.
Ridgeway avenue, Twenty-ninth Ward, in what was formerly known as the village of Riverside, called Tyler street.

- Rosewood avenue, Thirtieth Ward, called McFadden avenue.
Ross avenue, first Ward, in what was formerly known as the village of Linwood, called Armond street.
Russell avenue, First Ward, in what was formerly known as the village of Linwood, called Chester avenue.
Russell street, Twenty-ninth Ward, called Voss street.
South street, Thirtieth Ward, in what was formerly known as the village of Westwood, called Mozart street.
Spring street, Thirty-first Ward, in what was formerly known as the village of Avondale, called Whittier street.
Spring street, Thirtieth Ward, in what was formerly known as the village of Westwood, called Higbee street.
Spruce street, Thirtieth Ward, in what was formerly the village of Westwood, called Spruce place.
State street, Thirtieth Ward, called Waverly avenue.
Sylvan street, Thirtieth Ward, in what was formerly known as the village of Westwood, called Craig street.
Symmes street, Twenty-ninth Ward, in what was formerly known as the village of Riverside, called Ingalls street.
Taylor avenue, Twenty-ninth Ward, formerly known as the village of Riverside, called Bacon street.
Taylor street, Thirtieth Ward, called Knox street.
Thompson street, Twenty-ninth Ward, in what was formerly known as the village of Riverside, called Page street.
Williams avenue, Thirtieth Ward, in what was formerly known as the village of Westwood, called Belmore avenue.
Wooster pike, First Ward, in what was formerly known as the village of Linwood, called Eastern avenue.
Walnut street, Walnut Hills, called Kenan street.
Wallace avenue, Thirty-first Ward, formerly known as the village of Avondale, called Glenwood avenue.
Walnut street, First Ward, formerly known as the village of Linwood, called Winter street.
Washington street, Twelfth Ward, called Tharp street.
Watson street, Twenty-fifth Ward, called Whiteley street.
Waverly avenue, Twenty-seventh Ward, called Paris street.
West avenue, Thirty-first Ward, called Kessler avenue.
Western avenue, Thirty-first Ward, formerly known as the village of Avondale, called Dury avenue.
Western avenue, Thirtieth Ward, formerly known as the village of Westwood, called Boudinot avenue.
Western avenue, Thirtieth Ward, in what was formerly known as the village of Westwood, called Rural avenue.
Williams street, Thirty-first Ward, in what was formerly known as the village of Avondale, called Dick street.
Willow street, Second Ward, called Preston street.
Wilson avenue, Twenty-sixth Ward, called Bonaparte avenue.
Wilson street, Twenty-seventh Ward, called Cumber street.
Wilson avenue, Thirtieth Ward, in what was formerly known as the village of Westwood, called Clarence avenue.
Wood street, First Ward, in what was formerly known as the village of Linwood, called Shattuc avenue.
Woodbine avenue, Thirtieth Ward, in what was formerly known as the village of Westwood, called Hooker street.
Woodward avenue, Thirty-first Ward, in what was formerly known as the village of Avondale, called Blair avenue.
Yeatman street, Twenty-ninth Ward, in what was formerly known as the village of Riverside, called Princeton street.

- Abigail street change to East Twelfth street. (Ord. 414, passed January 29, 1900.)
- Alley north from Queen-City avenue to Harrison avenue, east of Rankin street, named Engel alley. (Ord. 645, passed April 29, 1901.)
- Ash alley, north from East Second to Dunseth alley. (Ord. 781, passed February 3, 1902.)
- Bank alley, from Third to Fourth street, change to Bank place. (Ord. 710, passed September 3, 1901.)
- Beard street, from Hopple street to Township street, change to Garrard avenue. (Ord. 401, passed December 11, 1899.)
- Bennett avenue and Union avenue to Beechmont avenue. (Ord. 156, passed March 28, 1898.)
- Bless avenue, from Streng street to Miami and Erie canal, next east of Top street, name fixed. (Ord. 393, passed Dec. 4, 1899.)
- Boldface road, from West Sixth street to Glenway avenue, to Garfield avenue. (Ord. 53, passed August 16, 1897.)
- Chester avenue to Russell avenue. (Ord. 83, passed Oct. 18, 1897.)
- Chestnut-tree street, from Carson avenue west to the corporation line, change to Mayfield avenue. (Ord. 601, passed Jan. 14, 1901.)
- Davenport street to Langdon place. (Ord. 224, passed Sept. 19, 1898.)
- Elland avenue (portion of) and other streets named Altenheim avenue. (Ord. 564, passed Nov. 12, 1900.)
- Erkenbrecher avenue, from Burnet avenue to Vine street, change to Albany avenue. (Ord. 953, passed Oct. 20, 1902.)
- Everett street change to Armory avenue. (Ordinance 513, passed July 24, 1900.)
- Feemster alley, from McCullough street to its western terminus, to Feemster street. (Ord. 133, passed Feb. 7, 1898.)
- Florence avenue, from Reading road to Gilbert avenue, change to Montgomery road. (Ord. 207, passed Nov. 5, 1903.)
- Garrard or Jephtha avenue, west of Horne street and McLean avenue, name fixed as Garrard avenue. (Ord. 402, passed Dec. 11, 1899.)
- Goodwin street and extension thereof, from Tusculum avenue to Delta avenue, change to Golden avenue. (Ord. 336, passed July 17, 1899.)
- Golden avenue, between Hoge street and Tusculum avenue, change to Handman avenue. (Ord. 1004, passed Dec. 29, 1902.)
- Holcroft street (new), from Shillito street south. (Ord. 714, passed Sept. 3, 1901.)
- Hopson street change to Woodside place. (Ord. 913, passed Aug. 25, 1902.)
- Hunt street, from Broadway to McMillan street, to Reading road. (Ord. 56, passed Aug. 23, 1897.)
- Jefferson avenue, from Brookline avenue to Miami canal, to Ludlow avenue. (Ord. 105, passed Dec. 13, 1897.)
- Kelly alley, between Kline alley and western terminus, change to Kelly place. (Ord. 449, passed April 3, 1900.)
- Lickrun road, South Branch road, and Plymouth avenue, from Queen-City avenue south of Glenway avenue, to Quebec road. (Ord. 316, passed June 5, 1899.)
- Lilac street, from Township street south to its continuation with Valley street, change to Valley street. (Ord. 389, passed Nov. 13, 1899.)
- Linton street, lying next north of Oak street, between Vernon place and Reading road, changed to Church street by ordinance passed May 1, 1899; name restored to that of Linton street. (Ord. 348, passed Aug. 14, 1899.)

- Linton street to Church place. (Ord. 298, passed May 1, 1899.)
- Linwood road from Madison road to Hogback road, and Hogback road from Linwood road to corporation line, to Observatory avenue. (Ord. 303, passed May 15, 1899.)
- Linwood road, from Observatory avenue to Eastern avenue, to Linwood avenue. (Ord. 315, passed June 5, 1899.)
- Locust street, from Knott street to Burnet avenue, Thirty-first Ward, change to Hickory street. (Ord. 445, passed March 26, 1900.)
- Longworth street, from Elm to Plum street, change to Post square. (Ord. 924, passed Sept. 8, 1902.)
- Longworth street, from Vine to Elm street, change to Opera place. (Ord. 925, passed Sept. 8, 1902.)
- Malin street (new), from Shillito street south. (Ord. 711, passed Sept. 3, 1901.)
- Market street, from Eden avenue to Highland avenue, change to Rochelle street. (Ord. 837, passed May 5, 1902.)
- Maxwell street, formerly Larry alley, change to Shea place. (Ord. 559, passed Oct. 29, 1900.)
- Molitor street to University avenue. (Ord. 174, passed May 2, 1898.)
- Mt. Harrison road, from Grand avenue to Shadwell street, change to Tomlinson avenue. (Ord. 626, passed March 11, 1901.)
- Oakland avenue, from Evanswood avenue northwesterly. (Ord. 878, passed June 30, 1902.)
- Phelps avenue, formerly Rapidrun road, from Academy avenue to Vaughn road, change to St. Lawrence avenue. (Ord. 51, passed June 22, 1903.)
- Raine avenue, from Jefferson avenue to Hopson street, to Lakewood avenue. (Ord. 122, passed Jan. 24, 1898.)
- Revoke avenue change to Edison avenue. (Ord. 831, passed April 28, 1902.)
- Saunders street, from Auburn avenue to Reading road, to Dorchester avenue. (Ord. 145, passed Feb. 28, 1898.)
- Sperber avenue, north from Queen-City avenue, and between Clifford and White streets. (Ord. 780, passed Feb. 3, 1902.)
- Starry alley, north from Ninth street to Richmond street, between Mound and John streets. (Ord. 90, passed Aug. 3, 1903.)
- Tecumseh street change to Hoff avenue. (Ord. 1002, passed Dec. 22, 1902.)
- Tillie avenue, north from Queen-City avenue, east of Massasoit street. (Ord. 780, passed Feb. 3, 1902.)
- Trost street (new) south of Shillito street and parallel thereto. (Ord. 713, passed Sept. 3, 1901.)
- Union-Bridge road (or levee) to Beechmont avenue. (Ord. 89, passed Nov. 1, 1897.)
- Vaughn road, from Glenway avenue south to present corporation line, change to Fifth avenue. (Ord. 98, passed Aug. 10, 1903.)
- Wayne street, from Hopson street to Eden avenue, change to Rochelle street. (Ord. 837, passed May 5, 1902.)
- York alley change to Naeher street. (Ord. 758, passed Dec. 9, 1901.)

No. 889. Passed March 1, 1895.

To provide against sweeping into, throwing into, or allowing to drop off wagons, carts, or other vehicles on to the streets, avenues, or alleys of the City of Cincinnati any dust, dirt, paper, or other substance, or to throw into or distribute upon such streets, avenues, and alleys any glass, nails in pieces of board, or rubbish of any kind.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That it shall be unlawful for any person or persons to throw or sweep into the streets, avenues, or alleys of the city of Cincinnati any dust, dirt, paper, or substance of any kind, or to throw into or distribute upon such streets, avenues, or alleys any glass, nails in pieces of board, or rubbish of any kind.

SEC. 2. That any person or persons who have charge, or the driver of any wagon, cart, or other vehicle used in hauling dirt, sand, or any other substance, shall not allow it to drop or be distributed upon the streets, avenues, or alleys of the city of Cincinnati.

SEC. 3. Any person or persons violating the provisions of this ordinance shall, on conviction thereof in the Police Court, be fined in any sum not exceeding ten dollars and costs of prosecution.

No. 250. Passed December 14, 1903.

Regulating the right of way of the streets of the city.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. The right of way of vehicles using the streets of the city shall, as far as practicable, be subject to the following regulations: They shall keep to the right-hand side of the street, and in meeting shall pass to the right. When moving slowly they shall keep near the right curb, so as to give vehicles moving at a greater speed the use of the central part of the street. In turning corners, when to the right, vehicles shall keep to the right; when to the left, no turn shall be made until the opposite half of the lateral street is reached. When not in motion the right side of the vehicle shall be next to the curb or side line of the street.

SEC. 2. The fire, police, and hospital departments of the city, and any salvage corps operating with the consent of the Board of Public Safety in responding to calls or orders, in their several departments and when sounding the gongs upon their respective vehicles, shall for such vehicles be given the right of way in going through the streets of the city. Such gongs shall not be sounded except when such right of way is necessary in the performance of official duty. Upon the sounding of such gongs all vehicles, cars (whether street, interurban, or railway), locomotives, and animals of every kind shall be immediately placed by the person in charge thereof in such position as not to obstruct the right of way herein given.

SEC. 3. A violation of any of the provisions of this ordinance shall be deemed a misdemeanor, and any person guilty thereof shall, upon conviction thereof, be fined in a sum not more than one hundred dollars.

NO. 251. Passed December 21, 1903.

Making it unlawful to place and permit to remain upon the streets of the city clippings of wire, metals, broken glass, or other dangerous substances.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. No person shall drop or place and permit to remain upon the streets of the city clippings of wire or metal, or pieces of broken glass, or any other substance or material by which injury may occur to the feet of horses or persons using said streets.

SEC. 2. Any person violating the provisions of this ordinance shall, upon conviction thereof, be fined in a sum not more than one hundred dollars for each offense.

NO. 211. Passed March 4, 1892.

To require newspaper advertisements of theatrical shows or exhibitions to state the prices of admission thereto, and also to require a scale of prices to be hung up at the doors of the theaters.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That whenever any theatrical show or exhibition of any name or nature is given at any hall or building in this

city licensed as a theater, and for admission to which money is demanded, if such theatrical show or exhibition is advertised by the proprietor of such theater, show, or exhibition in any newspaper of general circulation published within the corporate limits of Cincinnati, every such advertisement shall state the complete scale of prices for admission to such theatrical show or exhibition, and such scale of prices shall also be framed and hung up in some conspicuous place at the door of the theater; and it shall be unlawful for any person to sell or dispose of any ticket or seat for such theatrical show or exhibition at a higher price for admission thereto than according to the scale of prices so published, framed, and hung up; and it shall also be unlawful for any person to sell or dispose of any ticket or seat for any such theatrical show or exhibition without such scale of prices having been first advertised, together with any newspaper advertisement of such show or exhibition, and also having been framed and hung up at the door of the theater as above required.

SEC. 2. Any person or persons violating this ordinance shall on conviction be fined in any sum not exceeding fifty dollars nor less than five dollars. Each ticket or seat sold or disposed of contrary to the provisions of this ordinance shall be deemed and held to be a separate offense.

No. 648. Passed September 29, 1893.

To provide for the use of certain streets of the city of Cincinnati by the Ohio Telephone and Telegraph Company for its lines of telephone and telegraph.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Ohio Telephone and Telegraph Company, its successors and assigns, be and the same is hereby granted, upon the terms and conditions hereinafter stated, the right, privilege, and authority to erect, operate, and maintain its lines of telephone and telegraph, including the necessary poles, wires, and fixtures, upon, along, and over the following highways within the said city of Cincinnati: Entering said city on its northerly side, and continuing to the junction of the

Torrence Road and Columbia Avenue by one of the following routes: *First*, either entering the said city on Fairview or Vista Avenue, and continuing on the same to the Madisonville Pike, thence along Madisonville Pike to the Grandin and Torrence roads, thence along the Torrence Road to Columbia Avenue; or, *second*, entering the said city at the junction of Observatory Avenue and the Edwards Road, thence southerly along the Edwards Road to the Grandin Road, thence to Columbia Avenue, thence along Columbia Avenue to the Torrence Road from the junction of the Torrence Road with Columbia Avenue, along Columbia Avenue and Kemper Lane to Gladstone Avenue or Road, thence along Gladstone Avenue or Road to Washington Street, thence from the intersection of Washington Street and Gladstone Avenue or Road to the intersection of Hill and Martin streets at Third Street; either, *first*, along the proposed continuation of Gladstone Road or Avenue to Martin Street, and along Martin Street to Hill Street, at the intersection of Hill and Martin streets; or, *second*, along Washington Street from the Gladstone Road or Avenue to Third Street, thence west along Third and Martin streets to the intersection of Hill and Martin streets, thence along either Third Street or Hill and Celestial streets to the intersection of Celestial Street with Third Street, thence along Third Street westerly to Vine Street, thence north along Vine Street to the Telephone Exchange, as now located upon Vine Street; also south on Vine Street from Third Street to Water Street, thence easterly along Water Street to the Suspension Bridge and the Ohio River.

SEC. 2. The poles and wires shall be so placed as not to interfere with public travel or the streets or walks, or with public or private property, or any telegraph or telephone lines belonging to the city of Cincinnati, and the erection thereof shall be subject to the supervision and direction of the Board of Administration.

SEC. 3. At least forty-eight hours before opening any street, alley, or public place said company shall notify the Board of

Administration of its intention so to do, and the said company and its servants and employees in the construction of its lines, or in excavating and replacing the earth in any street, alley, or public place, and of the pavement thereon, shall be under the supervision of the Board of Administration, and shall promptly comply with any order of said board. No excavation in any street, alley, or public place shall be allowed to remain open, or said street, alley, or public place be encumbered, for a longer period than shall be necessary to execute the work for which the same is made. The cost of restoring the earth or otherwise arising from such excavation, and the laying of pavements and repairs thereto caused by the opening of any such street, alley, or public place, shall be paid by said company; and said work shall be done under the supervision of the Board of Administration, and the expense of said supervision shall be paid by said company on presentation of bills, certified by said board, and any expense to which the city shall be put from neglect of said company or its employees in the doing of any work, or the doing of the same in an unworkmanlike manner, or the digging of ditches or holes and erection of poles, or restoring the earth or any excavation, or relaying or replacing of any pavement, shall be paid in like manner by said company on presentation of the bills of cost, certified by said Board of Administration or its successors.

SEC. 4. Said company shall indemnify the city against and assume all liability and damages which may arise, come, or occur to the city of Cincinnati from any injury to persons or property from the doing of any work herein mentioned, or the neglect of the company or its employees to comply with any ordinance relative to the use of streets or other public places, especially as to the putting up of lights or barriers at or around excavations, and the acceptance by the company of this ordinance shall be an agreement by it to pay to the city of Cincinnati any sum of money for which the city may become liable from or by reason of such injury.

SEC. 5. For and in consideration of this grant the said the Ohio Telephone and Telegraph Company agrees and reserves to the city of Cincinnati the right to the exclusive use of one cross-arm upon all poles erected under this ordinance for police, fire-alarm, and other city official telegraph and telephone service, free of charge to the said city.

SEC. 6. Said company shall file with the city clerk its acceptance of this ordinance within thirty days from the date when it shall take effect; and before exercising any of the privileges granted hereby shall file with the city auditor a satisfactory bond, with sufficient sureties, in favor of the city of Cincinnati, approved by the Board of Administration, in the sum of ten thousand dollars, that it will faithfully comply with and perform the terms and conditions of this ordinance.

SEC. 7. Nothing herein contained shall be construed to give the said telephone company or its successors any exclusive right to construct telephone and telegraph lines in the streets and alleys of the city of Cincinnati.

SEC. 8. Said corporation shall at all times be subject to the city ordinances now in existence, or which may hereafter be passed, relative to the use of public streets or other public places.

NO. 4326. Passed February 7, 1890.

Adopting central standard time as the criterion of time in the City of Cincinnati.

Be it ordained by the Common Council of Cincinnati:

That central standard time be and the same is hereby adopted as the criterion and standard of time in the city of Cincinnati, instead of meridian time heretofore in use.

NO. 263. Passed February 6, 1899.

To prevent the smoking of tobacco by persons under fifteen years of age on the streets and other public places, and to regulate the sale of tobacco.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That it shall be unlawful for any person under the age of fifteen years to smoke tobacco in any form while on the streets or other public highways, or in any theater, concert-hall, or place of public meeting; and if any such persons under the age of fifteen years be found smoking tobacco while on any such street or highway, or while in any such theater, concert-hall, or other place of public meeting, it shall become the duty of the police to arrest all such persons; and on conviction thereof such person or persons shall be fined not more than five dollars nor less than one dollar, and for any subsequent offense of the same nature shall, upon conviction thereof, be fined not more than ten dollars nor less than two dollars, or be imprisoned not more than ten days, or both.

SEC. 2. That it shall be unlawful for any person or persons engaged in the business of selling tobacco to knowingly sell to any person under the age of fifteen years tobacco in any form, and any such person or persons engaged in the business of selling tobacco who shall knowingly sell tobacco in any form to any person under the age of fifteen years, shall upon conviction thereof be fined not more than fifty dollars nor less than twenty-five dollars, or be imprisoned not more than twenty days, or both; and it shall be the duty of the mayor and superintendent of police to see that this ordinance is enforced.

NO. 1042. Passed March 20, 1896.

To provide for the care, management, and control of the buildings known as the Westwood, Linwood, and Clifton town halls, and to carry out the provisions of certain leases, and to provide for the payment therefor.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Board of Administration of the city of Cincinnati be and it is hereby authorized and empowered to

be the custodian of, and to employ the necessary help, and to furnish and provide for all the supplies that are necessary for the proper management and control of the public buildings known as the Westwood, Linwood, and Clifton town halls, and to assume, carry out, and enforce the provisions of certain leases, to-wit: A lease from the Resor Academy and Literary Institute of Clifton to the village of Clifton, executed August 3, 1880, and recorded March 22, 1881 (Lease-book No. 65, p. 319, Hamilton County Records); and a lease from the village of Clifton to the Board of Education of Clifton Special School District, executed August 18, 1880, and recorded March 22, 1881 (Lease-book No. 65, p. 317, Hamilton County Records).

SEC. 2. The Board of Administration is hereby authorized and directed to establish and enforce such rules and regulations as it may deem necessary for the proper control and protection of said buildings, and the enforcement and carrying out of the provisions of said leases, and to establish a schedule of rents to govern the renting of portions of said buildings.

SEC. 3. In order to provide for the payment of the care, management, and control of said buildings, and the enforcement and carrying out of the provisions of said leases, the sum of six thousand five hundred dollars be and the same is hereby appropriated from the General Fund (contingent account), the same being an unforeseen emergency; and the Board of Administration be and it is hereby authorized to expend, and the city auditor is hereby authorized and directed to draw his warrants on the city treasurer upon presentation of vouchers properly approved by the Board of Administration.

SEC. 4. All rents and other revenue to be received by the Board of Administration through the management of said buildings, or the enforcement and carrying out of said leases, shall be deposited by them with the city treasurer to the credit of the General Fund of the city, and said board shall be required to submit for the consideration of the Board of Legislation, on the first regular meeting thereof in July and January of each year, a statement showing the receipts and expenditures

pertaining to said buildings and leases for the preceding six months.

No. 363. Passed September 5, 1899.

Granting to the American Tool Works Company permission to erect and maintain tramway.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That permission is hereby granted to the American Tool Works Company to erect and maintain a tramway on the sidewalk in front of their premises, for the purpose of handling heavy castings, on the west side of Eggleston Avenue, between Sixth and Eighth streets

No. 1062. Passed March 23, 1903.

Granting the Kruse & Bahlmann Hardware Company permission to construct, maintain, and use a sidetrack from their property on Sixth Street across the sidewalk to connect with the track in Sixth Street.

Whereas, The city of Cincinnati did on the 13th day of December, 1876, pass a resolution granting permission to the Little Miami Railroad Company to construct, maintain, and use a sidetrack or switch from its connection track on Eggleston Avenue into and along Sixth Street, a distance of four hundred and sixty-eight feet, more or less, and across the sidewalk into the property of J. V. Lewis & Co.; and

Whereas, The Kruse & Bahlmann Hardware Company is the lessee of a piece of property on the south side of Sixth Street adjoining the property formerly owned by said J. V. Lewis & Co. on the west; and

Whereas, The Kruse & Bahlmann Hardware Company is desirous of connecting its property with said sidetrack or switch: Therefore be it ordained by the Board of Legislation of the city of Cincinnati :

SEC. 1. That permission be and it is hereby granted to the Kruse & Bahlmann Hardware Company to construct, maintain, and use a sidetrack or switch across the sidewalk from the

east end of their property, so as to connect with the sidetrack or switch in Sixth Street, constructed in pursuance of said resolution of December 13, 1876, the work to be done under the supervision and to the satisfaction of the chief engineer of the Board of Public Service; provided that there shall be placed and maintained between the rails thereof, and to within two and one half inches thereof on either side, a planking of sound oak plank, securely spiked to the crossties, said planking to be of the same thickness as the depth of the rail, so that the surface of the planking shall be flush with the top of the rail; and oak planking not less than four inches wide, and of the same thickness as that between the rails, shall be securely spiked to the crossties against the outer edge of each rail and flush with the top thereof. This work to be all done under the direction and to the satisfaction of the Board of Public Service and its chief engineer. And that said Bahlmann & Kruse, or their successors in the use of this track, shall always keep the sidewalk at this crossing free and open for the general use of the public, and in good condition.

NO. 497. Passed July 2, 1900.

To provide for the appointment of subordinates in the city treasurer's office, and to repeal certain ordinances therein named.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the treasurer of the city be and he is hereby authorized, subject to the approval of the Board of Legislation, to appoint at annual salaries, fixed respectively as follows: An assistant treasurer, \$2,500; a bookkeeper, \$2,000; a paymaster, \$1,500; an assistant paymaster, \$1,100; two clerks, each \$1,500. Provided that there shall be allowed and paid to the assistant paymaster an additional sum of four hundred dollars per annum to compensate him for the cost and expense of providing, keeping, and caring for a horse, buggy, and harness, and maintaining them in serviceable condition without additional expense to the city, to be used by him in the performance of his duties as herein defined. Said appointees,

under the direction of the treasurer, shall perform such duties, consistent with the nature of their respective appointments, as he may designate; provided that it shall be the duty of the assistant paymaster, under the direction of the treasurer, to pay the wages of laborers in the employ of the city in any of its departments, when practicable, at or near their place of work.

SEC. 2. The salaries and allowances herein provided for shall be paid in equal semi-monthly installments, upon the allowance of the treasurer, in the manner provided by law and ordinance. Said appointees shall hold their places during the pleasure of the treasurer, but before entering upon their respective duties shall each give a bond, payable to the city, conditioned and approved in the manner provided by law and ordinance, and in the amounts following, respectively, to-wit: The assistant treasurer, \$100,000; the bookkeeper, \$10,000; the paymaster, \$10,000; the assistant paymaster, \$10,000; and the clerks, each \$5,000.

SEC. 3. In the absence or illness of the treasurer, the assistant treasurer shall have charge and supervision of the office, and shall perform the duties of the treasurer; and in the absence or illness of both the treasurer and assistant treasurer, the bookkeeper shall have such charge and supervision, and may perform their duties.

SEC. 4. That the following entitled ordinances be and the same are hereby repealed, to-wit:

"An ordinance to provide for the appointment of an assistant city treasurer," passed May 6, 1864. (C. & H., page 781.)

"An ordinance (No. 4060) to amend an ordinance providing for the appointment of an assistant city treasurer," passed April 6, 1888. (Henderson, page 39.)

"An ordinance (No. 4102) to give the city treasurer power to appoint a license and assessment clerk," passed August 17, 1888. (Henderson, page 39.)

"An ordinance (No. 164) creating the office of bookkeeper of the city treasurer's office, and authorizing the appoint-

ment and fixing the salary thereof," passed January 29, 1892. (Henderson, page 39.)

"An ordinance to provide for the appointment of an assistant paymaster in the city treasurer's office," passed July 27, 1883. (C. & H., page 782.)

"An ordinance (No. 266) fixing the salary of the assistant paymaster of the city treasurer's office," passed June 3, 1892. (Henderson, page 40.)

"An ordinance (No. 4030) to appropriate four hundred dollars from the General Fund for the purpose of defraying the expense of keeping a horse, buggy, and harness for the use of the assistant city paymaster," passed January 4, 1888. (Ordinance Record, vol. 22, page 40.)

And that a certain resolution of the City Council of Cincinnati, authorizing the city treasurer to employ additional assistance at one hundred and twenty-five dollars per month, and providing for the payment of city laborers at their place of work, adopted August 26, 1870 (C. & H., pages 782-783), be and the same is hereby rescinded.

NO. 281. Passed March 6, 1899.

To authorize the Christian Moerlein Brewing Company to construct a tunnel under Pleasant Street, between Henry Street and McMicken Avenue.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Christian Moerlein Brewing Company be and hereby is authorized to construct a tunnel under Pleasant Street, between Henry Street and McMicken Avenue, connecting the property of the said the Christian Moerlein Brewing Company upon both sides of said Pleasant Street.

SEC. 2. That said tunnel shall be constructed according to plans and of a size and depth to be approved by the Board of City Affairs.

NO. 817. Passed February 24, 1902.

To authorize the Lunkenheimer Company to construct a tunnel under Lawnway Avenue, in Fairmount, between Tremont Street and Waverly Avenue.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Lunkenheimer Company be and it is hereby authorized to construct a tunnel under Lawnway Avenue, between Tremont Street and Waverly Avenue, connecting the property of the said company, which is situated on the east and west sides of Lawnway Avenue.

SEC. 2. That said tunnel shall be constructed according to plans and of a size and depth to be approved by the chief engineer of the Board of Public Service of the city of Cincinnati.

NO. 972. Passed November 10, 1902.

Granting permission to the Herancourt Brewing Company to construct and maintain a subway under Harrison Avenue.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission is hereby granted to the Herancourt Brewing Company to construct and maintain a subway under and across Harrison Avenue, between Beekman Street and Spring Street, connecting the main buildings of said brewing company with the addition to the same on the opposite side of Harrison Avenue; said subway to be used for passage between the two cellars of said brewing company, and for the purpose of maintaining therein pipes and wires necessary in the prosecution of the business of said brewing company.

SEC. 2. Said subway is to be constructed of brick and masonry, and to be of not greater dimensions, inside measurement, than four and one half feet in height and four feet in width, and to be constructed so that no portion thereof shall be less than five and one half feet below the street grade at the place of crossing. Said subway is to be further constructed in accordance with plans and specifications to be approved by the Board of Public Service, and under the direction and to the satisfaction of the city engineer, and so as not to interfere

in any way with sewerage pipes, water-pipes, gas-pipes, street-car tracks, or any other present use of Harrison Avenue. Said Harrison Avenue, during the construction of said subway, shall be kept open for travel, and shall be restored to as good condition as it was before the building of such subway, including all repairs at any time necessary by reason of such construction. This grant is subject to the condition that if said subway at any time interferes with any other proper and necessary use of the street it shall be removed or altered as the Board of Public Service may deem necessary.

SEC. 3. Before commencing any work upon the said subway the Herancourt Brewing Company shall execute a bond to the city of Cincinnati, in the sum of one thousand dollars, to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of the construction of such subway, and for the faithful compliance by said company with all and singular the provisions of this ordinance.

No. 985. Passed November 24, 1902.

Granting to the John Shillito Company the right to construct and maintain a subway under Shillito Place, connecting with the Cincinnati Gymnasium and Athletic Club.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the right is hereby granted to the John Shillito Company to construct and maintain a subway crossing under Shillito Place, and connecting with the building of the Cincinnati Gymnasium and Athletic Club, for the purpose of transmitting steam-power and heat to the latter.

SEC. 2. Such subway shall be constructed under the supervision of the Board of Public Service and its chief engineer, at such depth and in such manner as not to interfere with sewers or pipes now laid there and necessary for public or other service. The street disturbed in the work of placing such subway shall be restored to its present condition. The John Shillito Company shall, in laying and maintaining this

subway, be subject to such restrictions as may be required by the Board of Public Service.

NO. 1064. Passed March 30, 1903.

To grant to the Barron-Boyle Company the right to lay and use a pipe for transmission of steam.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Barron-Boyle Company is hereby granted the right to lay and use a pipe for transmission of steam across and under the surface of Lawson Alley, between Fourth and Fifth streets, connecting their premises on either side of said alley. This pipe shall be laid in such manner as not to interfere with any of the ordinary uses of Lawson Alley, or with any other pipes, sewers, or connections thereunder, and to the satisfaction of the Board of Public Service.

NO. 95. Passed August 3, 1903.

Granting the Triumph Electric Company the right to construct a tunnel under Margaret Alley.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the Triumph Electric Company of Cincinnati, Ohio, is hereby granted the right to construct a tunnel under Margaret Alley, connecting the buildings of said company on either side of said alley.

SEC. 2. Said tunnel shall be four feet wide by six feet high; shall in no way interfere with any gas-, water-, or sewer-pipe; and shall be constructed under the supervision of the city engineer.

NO. 4266. Passed September 20, 1889.

Relating to the occupancy of part of Burnet-Woods Park by the University of Cincinnati.

Be it ordained by the Common Council of Cincinnati:

SEC. 1. That the mayor be and he is hereby authorized and directed to execute on behalf of the city the following agreement with the University of Cincinnati:

This agreement, made this — day of —, 188—, by and between the city of Cincinnati, party of the first part, and the University of Cincinnati, party of the second part, witnesseth :

That the party of the first part, for and in consideration of one dollar by it received from the party of the second part, and the covenants of the party of the second part hereinafter set out by it to be performed, does hereby covenant and agree to and with the party of the second part that the said last-named party may erect a university building and such other buildings as may be incidentally connected therewith, and forever afterward maintain and control the same for the purposes hereinafter named, upon the following described lot of land, situated in the city of Cincinnati, Hamilton County, Ohio: Beginning at a point in the east line of Clifton Avenue, which point is 50 feet east of the west line and 726.36 feet north of the south line of Section 14, Millcreek Township, also in the north line of Corry Street as laid out through Burnet-Woods Park; thence east on the said north line of Corry Street, parallel to the south line of said Section 14, and 726.36 feet northwardly therefrom at right angles, 1424.06 feet to the east line of Burnet-Woods Park and the west line of the Corry tract; thence north with the east line of Burnet-Woods Park 1354.21 feet to the center of Molitor Street as laid out and improved by the city of Cincinnati east from the east line of said Burnet-Woods Park; thence from this point on a curve southwardly with 300 feet radius (to which curve the said center line of Molitor Street is tangent) a distance of 141.37 feet; thence reversing with a radius of 300 feet a distance of 376.99 feet; thence reversing with a radius of 200 feet a distance of 349.07 feet; thence reversing with a radius of 300 feet for a distance of 502.66 feet; thence reversing with a radius of 238.80 feet a distance of 170.88 feet to a point in the said center line of Molitor Street produced, which line is tangent to last-described curve; thence on the said tangent and center line of Molitor Street produced 39.27 feet to the east line of Clifton Avenue; thence

south on said east line of Clifton Avenue 1356.21 feet to the place of beginning; containing 43.302 acres of land; excepting therefrom, however, a strip of land thirty feet in width off of the east side of said tract from Corry Street to Molitor Street for a proposed public street, and excepting therefrom also a strip thirty feet in width off of the north side of said tract between Clifton Avenue and the east line of the park for the proposed extension of Molitor Street; the tract of land hereby granted as aforesaid and the strips excepted therefrom for street purposes being more fully shown upon the accompanying plat, which is hereby made a part hereof.

That the said University of Cincinnati may erect on said lot above described its main building at whatever point that it may select, and it shall have exclusive control in and over so much of said lot as lies within a radius of one hundred feet on all sides of said main building; provided that said limit of one hundred feet does not extend beyond any line of said first-described lot or tract of ground. But it is expressly agreed and understood that the remainder of said tract of 43.164 acres just above described not occupied by buildings for said university purposes is to remain open to the public as a part of Burnet-Woods Park forever. The said party of the second part shall have the right to use the remainder of said above-described tract for all proper university purposes, and to build roads, lay out grounds, plant trees, and otherwise beautify and improve said grounds, subject always to approval by the Board of Public Affairs of said party of the first part. And the said party of the second part, for and in consideration of one dollar by it received from the party of the first part, and the covenants to be performed by the said party of the first part, does hereby covenant and agree to and with the said party of the first part that it will commence the construction of its main building for university purposes within three years from the date of the execution of this agreement, otherwise this agreement to be null and void, without proceedings in forfeiture therefor.

Said party of the second part further agrees and covenants that within five years from the date of the execution of this agreement it will have expended at least one hundred thousand dollars in the construction of the buildings and other improvements upon the above-described lot or tract of ground for its university purposes, otherwise this agreement to be null and void without proceedings in forfeiture therefor; and that it will keep said improvements in repair, and for ever after maintain and control said buildings so constructed upon said lot, together with the said grounds, for university purposes.

That in case of the failure of said University of Cincinnati to make substantial compliance with the conditions and stipulations in this agreement, or in case said university shall at any time thereafter fail to maintain and keep up a university for educational purposes, or shall fail to continue and maintain the grounds not actually occupied by buildings for university purposes, the same shall, at the option of the city, become void, and the city may thereupon retake and retain the sole and exclusive control of said premises.

In testimony whereof the city of Cincinnati has caused its name to be signed hereto and its corporate seal to be impressed thereon by —, the mayor of said city, and the University of Cincinnati has caused its name to be signed hereto and its corporate seal to be impressed hereon by the president of its board of trustees, who was duly authorized so to do by resolution of said trustees, this — day of —, 188—.

SEC. 2. The duty to execute said agreement is hereby imposed upon the mayor, upon condition that the said University of Cincinnati shall also execute said contract on its behalf within ninety days from the passage of this ordinance; and the city solicitor is directed to cause said agreement and plat to be duly recorded.

NO. 55. Passed July 24, 1891.

To provide for the devise of Matthew H. Thoms to the City of Cincinnati in trust for the University of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the devise of Matthew H. Thoms to the city of Cincinnati, in trust for the University of Cincinnati, by his will dated October 28, 1873, and the codicil thereto dated November 11, 1890, and admitted to probate by the Probate Court of Hamilton County, Ohio, on January 6, 1891, be and the same is hereby accepted in accordance with the terms and provisions of said will of said Matthew H. Thoms.

"THE WILLIAM THOMS PROFESSORSHIP" PROVIDED FOR IN THE LAST WILL AND TESTAMENT OF MATTHEW H. THOMS OF CINCINNATI, O.

1. I direct that there be first paid out of my estate my just debts and funeral expenses, and the expenses of administration of my estate.

2. I direct that a monument be erected over the grave of my father in Spring-Grove Cemetery at an expense not exceeding one thousand dollars.

3. All the rest, residue, and remainder of my estate, real and personal, wheresoever situate, of which I may die seized I give and devise to the city of Cincinnati, in trust for the University of Cincinnati, upon condition that out of the same there be set apart and provided a sufficient sum as the endowment of a professorship, to be called, in memory of my father, "The William Thoms Professorship," and the residue, if any, of the property hereby given shall be applied to such uses and purposes of said university as the directors thereof may from time to time provide.

4. I appoint the chairman of the board of directors of the University of Cincinnati, holding such office at the time of my decease, executor of this will. Witness my signature.

October 28, 1873.

M. H. THOMS.

[By a codicil, November 11, 1890, this bequest was slightly reduced, and William McAlpin was named as executor. The value of the estate thus given to the university is about \$120,000, the income from which is \$6,800 per annum.]

NO. 564. Passed June 23, 1893.

To authorize the issue of bonds to provide for the building and the apparatus necessary for the University of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That pursuant to the power conferred by the act of April 27, 1872 (69 O. L. 164), as amended April 20, 1893, to authorize the issue of bonds to provide for the building and apparatus necessary for the University of Cincinnati, an issue of one hundred thousand dollars in bonds of the city is hereby authorized and ordered.

Said bonds shall be dated July 1, 1893, and be payable twenty-five years from date; they shall bear four per cent per annum interest, payable in semi-annual installments each January and July during the life of said bonds.

Principal and interest shall be payable at the American Exchange National Bank of New York.

The bonds shall be signed by the mayor and by the auditor, and be sealed with the seal of the city.

The bonds shall be sold by the auditor in accordance with Section 2709 of the Revised Statutes of Ohio, and the proceeds of said bonds shall be paid into the city treasury and credited to the account of such university, and be by the said directors applied to the purpose for which said bonds shall be issued.

If any surplus remains unused at the end of the year, and unnecessary for said purpose, such surplus shall be applied by said directors as a redemption fund for the payment of so much of said issue of bonds as said surplus may meet.

NO. 160. Passed April 4, 1898.

To amend an ordinance, No. 1007, entitled "An ordinance to amend an ordinance, No. 653, entitled 'An ordinance empowering the Board of Administration to declare any vacant uninclosed lot or lots a nuisance, and to compel the owner or agent of such lot or lots to inclose the same with a fence.'"

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That Ordinance No. 1007, entitled "An ordinance to amend an ordinance entitled 'An ordinance empowering the

Board of Administration to declare any vacant uninclosed lot or lots a nuisance, and to compel the owner or agents of such lot or lots within a certain boundary to inclose same with a fence,' " passed November 20, 1895, be so amended as to read as follows :

SEC. 2. That the Board of Administration be and is hereby empowered to declare any vacant or uninclosed lot or lots of said city between the Ohio River on the south, and McLean Avenue to Harrison Avenue on the west, and McMicken Avenue west of Elm Street and Clifton Avenue east of Elm Street on the north, and Eggleston Avenue continued north on Broadway on the east, a nuisance, and to compel the owner or agents of such lot or lots to inclose the same with a fence ; and when the Board of Administration has declared any vacant uninclosed lot or lots to be a nuisance, notice thereof shall be served upon the owner thereof if he be a resident and present in the city, or if he be a non-resident or absent from the city, then upon his agent ; and if such owner or agent shall have failed to comply with said notice within twenty days from the day of the service, he shall be subject to the penalty hereinafter prescribed.

SEC. 3. The penalty for the failure to comply with such notice shall be, upon trial and conviction in the Police Court, a fine of not less than ten or more than twenty-five dollars ; and each day's failure to comply with such notice after the expiration of the twenty days from the day of the service shall be deemed a separate offense, and shall be punished accordingly.

SEC. 4. Said original Ordinance No. 653 be and the same is hereby repealed.

No. 151. Passed December 30, 1891.

Amending an ordinance designating stands for hackney-coaches, furniture-cars, and express-wagons within the corporate limits of the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That an ordinance known as "ordinance designating stands for hackney-coaches, etc.," passed September 26, 1879, be amended as follows:

SEC. 2. That stands 2, 4, 6, 7, and 10 for hackney-coaches and Stand 3 for furniture-cars be and the same are hereby abolished.

SEC. 3. That the following be designated and numbered as stands for hackney-coaches: Stand 1, on the west side of Vine Street, from Fourth Street to Baker Street; Stand 2, on the west side of Central Avenue, extending from the first alley south of Fourth Street to Third Street; Stand 3, on the east side of Elm Street, extending from Twelfth Street to a point opposite the northwest entrance to Washington Park; Stand 4, on south side of Pearl Street, east from Butler Street; Stand 5, at night-time after 7 P. M., on Vine Street, north from Fourth Street to Liberty Street, in front of such public houses and places as shall give permission, and in front of all other such public houses and places in the city as shall give permission.

SEC. 4. That the following stands be established for furniture-cars within the city of Cincinnati unto and including the first day of January, 1894: Stand 1, on the eastern half of the middle of Pearl Street, between Plum and Elm streets; Stand 2, on the middle of Sixth-street Market-space, from the east line of Plum street to a point seventy-five feet east, except on such days as markets are held; Stand 3, on the north side of canal, from Plum to Race Street, reserving one hundred and fifty feet in front of the public-school building, at northeast corner of Elm and Canal streets; Stand 4, on the north side of the canal, between Jackson and Walnut streets.

SEC. 5. That the following stand be established as a regular stand for express-wagons within the city of Cincinnati: Stand 1,

on the west side of Main Street, from seventy-five feet north of the north curb-line of Fifth Street and twenty-five feet south of the south line of Patterson Alley.

NO. 740. Passed February 9, 1894.

Designating a stand for furniture-cars within the corporate limits of the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the following be designated as a stand for furniture-cars in the city of Cincinnati, to-wit: the middle of Pearl Street, between Plum and Elm streets.

NO. 254. Passed December 27, 1898.

Amending an ordinance to license and regulate vehicles for hire, etc., passed December 5, 1856, as amended January 8, 1892, and April 1, 1892.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That sections 2 and 3 of an ordinance to license and regulate vehicles for hire, etc., passed December 5, 1856, and amended January 8, 1892, and April 1, 1892, be amended to read as follows:

SEC. 2. Each hackney-coach, cab, or other vehicle used for hire shall be provided with but one driver at one and the same time, and it shall be unlawful for any other person than such driver for the time being to solicit passengers or employment for such hackney-coach, cab, or vehicle used for hire. Each such driver of any hackney-coach, cab, or vehicle used for hire shall be provided with a license, as required by law, and shall wear in a conspicuous place upon his person at all times when engaged in such employment a metal badge, furnished or to be furnished by the city auditor, having plainly printed, painted, stamped, or engraved thereon a number corresponding to that of the license, the year for which said license was issued, and the words "Cincinnati Hackman," and it shall be unlawful for any person not the driver of such hackney-coach, cab, or vehicle used for hire to wear such badge. It

shall be the duty of the city auditor to keep a record of the name and residence of each driver to whom such badge is given. It shall be unlawful for the driver of any hackney-coach, cab, or other vehicle used for hire, while at any public stand, railroad station or steamboat wharf, or any other public place, waiting to be employed, to use profane, abusive, or indecorous language, or utter loud cries or calls, or scuffle or crowd about, or interfere with any driver of any vehicle for hire with whom any person may be negotiating for the transportation of himself or baggage. No driver shall make use of any false representations whereby a passenger shall be induced to pay more than lawful rate of fare.

SEC. 3. Any person offending against any of the provisions of this ordinance shall, on conviction thereof in the Police Court, be fined not more than ten dollars, together with costs of prosecution.

[NOTE.—Sections 1, 2, 3, 4, 5, 6, and 16 of "An ordinance to license and regulate vehicles for hire, etc.," passed December 5, 1856 (see Coppock & Hertenstein), have been repealed by Ordinance No. 241, passed April 1, 1892.]

NO. 7. Passed May 4, 1903.

To regulate the use of vehicles drawn by horses, mules, and other beasts of burden upon the streets of the city, and to license the same.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. All persons, firms, or corporations using any vehicles drawn by horses, mules, or other beasts of burden on the streets of the city shall pay annual license fees upon all such vehicles as follows:

- For each sulky, three dollars;
- For each cab or hack, five dollars;
- For each buggy or private carriage, three dollars;
- For each hotel coach or carriage, seven dollars;
- For each furniture-car, ten dollars;
- For each two-horse omnibus, seven dollars;

For each four-horse omnibus, ten dollars ;

For each six-horse omnibus, fifteen dollars ;

For each cart drawn by one horse, three dollars ;

For each cart drawn by two horses, ten dollars ;

For each wagon (with springs) drawn by one horse, three dollars ;

For each wagon (with springs) drawn by two horses, seven dollars ;

For each wagon (with springs) drawn by three horses, ten dollars ;

For each wagon (with springs) drawn by four horses, fourteen dollars ;

For each wagon (with springs) drawn by six horses, eighteen dollars ;

For each wagon, dray, truck, or drag (without springs) drawn by one horse, three dollars ;

For each wagon, dray, truck, or drag (without springs) drawn by two horses, ten dollars ;

For each wagon, dray, truck, or drag (without springs) drawn by three horses, twelve dollars ;

For each wagon, dray, truck, or drag (without springs) drawn by four horses, fifteen dollars ;

For each wagon, dray, truck, or drag (without springs) drawn by six or more horses, twenty dollars.

Provided that none of the provisions of this ordinance shall be held to apply to farmers marketing the products of their farm ; nor shall farmers be liable for vehicles or any license whatever for marketing, selling, hawking, or peddling the products of their farms, or for hauling any produce into or from the city to the country, nor shall the provisions of this ordinance be held to apply to gardeners, fruit-growers, or florists ; and provided further that the city auditor shall have authority to issue license for the unexpired fraction of any year, upon receiving satisfactory evidence that the vehicle sought to be licensed has not been in use at any time during the current year prior to the time of making application for such license. Dairymen

living without said city shall pay license fees upon their vehicles used upon the streets of the city as follows :

For each one-horse wagon, three dollars ;

For each two-horse wagon, five dollars ;

For each three- or four-horse wagon, ten dollars.

SEC. 2. All money received for license fees under this ordinance shall be placed to the credit of the street-repair fund.

SEC. 3. All persons or firms using any vehicle, except cabs, hacks, sulkies, buggies, and carriages, upon the streets of the city, for which annual license fees are required to be paid, shall exhibit in a conspicuous place upon the left side of each vehicle, or upon the left side of the harness of an animal attached to the same, a metal-plate sign, furnished or to be furnished by the city auditor, indicating the year for which such license has been taken and the number and character of such license.

SEC. 4. The city auditor is hereby required to furnish with every license issued for every such vehicle used upon the streets of the city one metal-plate sign having printed, painted, or stamped thereon the year for which such license has been taken out, together with the character and number of the same.

SEC. 5. Any person who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than fifty dollars.

SEC. 6. It shall be the duty of the police or other officer clothed with police powers to enforce the provisions of this ordinance.

NO. 330. Passed July 10, 1899.

To amend an ordinance entitled "An ordinance, No. 304, to prevent the driving of teams or vehicles in the City of Cincinnati by any person under the age of eighteen years."

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That Ordinance No. 304, entitled "An ordinance to prevent the driving of teams or vehicles in the city of

Cincinnati by any person under the age of eighteen years," be amended so as to read as follows: That it shall be unlawful for any corporation, firm, or person to employ any one under the age of eighteen years to drive a horse or a team of horses attached to any vehicle upon any of the streets, avenues, alleys, or any other public place or highway in the city of Cincinnati.

SEC. 2. Any corporation, firm, or person found guilty of violating the provisions of this ordinance shall on conviction thereof be fined in any sum not exceeding twenty-five dollars and the costs of prosecution.

SEC. 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

NO. 752. Passed February 16, 1894.

To regulate travel on the Eighth-street Viaduct.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That no person or persons shall be permitted to drive on or over the Eighth-street Viaduct with any vehicle or conveyance for freight, merchandise, or other substance carrying two thousand pounds or over in weight; and no vehicle or conveyance, empty or loaded, drawn by more than two horses or mules, shall be permitted to drive on or over the said Eighth-street Viaduct.

SEC. 2. That no person shall drive or assist in driving on or over said viaduct any cattle, horses, mules, sheep, or swine in a drove.

SEC. 3. No person or persons shall unnecessarily or willfully remain or stop with any vehicle, street car, or other conveyance of any description whatever upon said viaduct or on the approaches to the same.

SEC. 4. No person shall cross or attempt to cross or break into the lines of teams or street cars or other vehicles driving on or over said viaduct, nor shall any person disobey or resist any officer in charge of said viaduct.

SEC. 5. No person or persons shall gather in assemblage or crowds on said viaduct or the approaches leading to the same, or be and remain upon any of the sidewalks or passages thereof longer than will be necessary to pass over the same.

SEC. 6. Drivers or persons in charge of any vehicle or conveyance of any kind shall keep to the right, leaving the railways free for the cars to pass over, when passing over said viaduct.

SEC. 7. Any person or persons violating any of the provisions of this ordinance shall upon conviction thereof be fined in any sum not less than five nor more than twenty-five dollars for each offense.

SEC. 8. That the ordinance, No. 701, entitled "An ordinance to regulate travel on the Eighth-street Viaduct," passed December 22, 1893, be and the same is hereby repealed.

NO. 789. Passed February 17, 1902.

To regulate travel in Lawson Alley, between Fourth Street and Fifth Street.

Whereas, Lawson Alley, between Fourth Street and Fifth Street, is not of sufficient width to permit wagons to pass each other in said alley; and

Whereas, Teams entering opposite ends of the alley at or about the same time meet in the alley, and being unable to pass, disputes arise as to the right of way:

Therefore, In order to regulate travel in this alley and prevent disputes about the right of way, be it ordained by the Board of Legislation of the city of Cincinnati:

SEC. 1. That all vehicles, or teams with or without vehicles attached, desiring to use said alley shall enter the same at the north or Fifth-street end, and that no vehicles, or teams with or without vehicles attached, shall be permitted to enter said alley from the south or Fourth-street end of the alley.

SEC. 2. Any person or persons violating the provisions of this ordinance shall be deemed guilty of a misdemeanor, and

shall upon conviction be fined in the Police Court of Cincinnati not more than ten dollars nor less than five dollars for each offense.

SEC. 3. All ordinances or parts of ordinances heretofore passed conflicting herewith be and the same are hereby repealed.

NO. 996. Passed December 22, 1902.

To subdivide the City of Cincinnati into wards.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That in pursuance of the authority conferred and duty imposed upon this board by an act entitled "An act to provide for the organization of cities and incorporated villages, and to restrict their powers of taxation, assessment, borrowing money, contracting debts, and loaning their credit, so as to prevent the abuse of such powers, as required by the Constitution of Ohio, and to repeal all sections of the Revised Statutes inconsistent herewith," passed by the General Assembly of Ohio in extraordinary session on the 22d day of October, 1902, the city of Cincinnati be and is hereby subdivided into twenty-four wards, which are equal in number to the members of Council who are hereafter to be elected from wards in this city as provided for in said act, and said twenty-four wards are hereby created and established in this city, and the boundaries thereof shall be such as are hereinafter set forth, which boundaries are so fixed as that each ward shall contain as nearly as practicable an equal number of inhabitants.

SEC. 2. That the boundaries of the wards shall be as follows :

First Ward—The First Ward shall include and contain all that territory bounded as follows, to-wit: Beginning at the junction of Ferry Street and the Ohio River; thence northwardly on Ferry Street to Eastern Avenue; thence east on Eastern Avenue to Collins Avenue; thence north on Collins Avenue to Columbia Avenue; thence east on Columbia Avenue

to Torrence Road; thence northwardly on Torrence Road to Grandin Road; thence northwest on Grandin Road to the Madison Road; thence northeast on the Madison Road to the north corporation line of the city; thence east on the north corporation line of the city to the Little Miami River; thence south on the Little Miami River to the south line of Section 13, Spencer Township, being the south corporation line of the city; thence westwardly along the southerly corporation line of the city to the Turkey-Bottom Road; thence following the southerly corporation line of the city on the Turkey-Bottom Road to Davis Lane; thence northwest on Davis Lane to the Longworth south line; thence southwest along the dividing line between Longworth, Stump and Wade to Kellogg Avenue; thence northwest on Kellogg Avenue to the dividing line between Holbrook and Hosea; thence southwest along said line and a continuation thereof to the Ohio River; thence down the Ohio River to Ferry Street, the place of beginning.

Second Ward—The Second Ward shall include and contain all that territory bounded as follows, to-wit: Beginning at the intersection of Blair Avenue and the east line of the Richard Beresford subdivision; thence south on the east line of the subdivisions of Richard Beresford and Thomas French to Melbourne Avenue; thence west to the northwest corner of the subdivision of the George Mathers estate; thence south on the west line of said subdivision and the tracks of the Cincinnati, Lebanon & Northern Railroad to the southwest corner of the subdivision of George Mathers estate, said corner being 145 feet south of Whittier Street; thence southeasterly along the south line of said subdivision and along Altoona Street to old Gilbert Avenue extended; thence north on old Gilbert Avenue about 100 feet to the south line of Lot 9 of the subdivision of the George Mathers estate; thence southeasterly along the south line of Lot 9, being the south line of the subdivision of said estate, and the north line of the old Two-mile House lot, formerly owned by Alfred Mathers, and continuing in the same

direction along the southwest side of Lot 1 of said subdivision, and easterly along the south line of said lot to the German Protestant Cemetery; thence south on the west line of said cemetery to the south line of said cemetery; thence east on the south line of said cemetery to the east line of Section 8; thence south on said section line and on Ashland Avenue to McMillan Street; thence west to Kemper Lane; thence southerly on Kemper Lane to Eastern Avenue; thence northeast to Crane Street; thence east to the Ohio River; thence northeasterly to Ferry Street; thence northwardly on Ferry Street to Eastern Avenue; thence east on Eastern Avenue to Collins Avenue; thence north on Collins Avenue to Columbia Avenue; thence east on Columbia Avenue to Torrence Road; thence northwardly on Torrence Road to Grandin Road; thence northwest to Madison Road; thence northeast to north corporation line; thence west on the north corporation line and Blair Avenue to the east line of the subdivision of Richard Beresford, the place of beginning.

Third Ward—The Third Ward shall include and contain all that territory bounded as follows, to-wit: Beginning at the intersection of Omaha Street and the C. L. & N. Railroad; thence east to Stanton Avenue; thence north on Stanton Avenue and the half section line of Section 8 running north and south to the southwest corner of the subdivision of the George Mathers estate, said corner being 145 feet south of Whittier Street; thence southeasterly along the south line of said subdivision and along Altoona Street to old Gilbert Avenue extended; thence north on old Gilbert Avenue about 100 feet to the south line of Lot 9 of the subdivision of the George Mathers estate; thence southeasterly along the south line of Lot 9, being the south line of the subdivision of said estate and the north line of the old Two-mile House lot, formerly owned by Alfred Mathers, and continuing in the same direction along the southwest side of Lot 1 of said subdivision and easterly along the south line of said lot to the German Protestant Cemetery; thence south along the west line of said cemetery to the south

line of the cemetery; thence east along the south line to the east line of Section 8; thence south along the east line of Section 8 and on Ashland Avenue to McMillan Street; thence west to Kemper Lane; thence south and southeast to the intersection with the boundary line of Eden Park; thence southwest along the boundary line of Eden Park to the south line of Section 7; thence west on the south line of Section 7 and the line of Liberty Street to the west line of Section 7; thence north on the west line of Section 7 and on Burnet Avenue to Dorchester Avenue; thence east on Dorchester and Florence avenues to Symmes Street; thence north on Symmes Street to Manitou Street; thence east on Manitou Street to Marquis Street; thence north on Marquis Street to McMillan Street; thence east on McMillan Street to May Street; thence north on May Street to Oak Street; thence northwardly along the C. L. & N. Railroad to the place of beginning.

Fourth Ward—The Fourth Ward shall include and contain all that territory bounded as follows, to-wit: Beginning at the intersection of Eggleston Avenue and the Ohio River; thence northwest on Eggleston Avenue to Court Street; thence east on Court Street to Gilbert Avenue; thence northeast on Gilbert Avenue to the south line of Section 7; thence east on said section line to the southeastern boundary line of Eden Park; thence on the southeastern boundary line of Eden Park to Kemper Lane; thence on Kemper Lane to Eastern Avenue; thence on Eastern Avenue to Crane Street; thence east on Crane Street to the Ohio River; thence southwest with the Ohio River to Eggleston Avenue, the place of beginning.

Fifth Ward—The Fifth Ward shall include and contain all that territory bounded as follows, to-wit: Beginning at the intersection of Sycamore Street and Court Street; thence east on Court Street to Gilbert Avenue; thence north on Gilbert Avenue to the south line of Section 7; thence west on the south line of Section 7 and Liberty Street to Clay Street; thence south on Clay Street to Allison Street; thence east on Allison Street to Main Street; thence south on Main Street to

Thirteenth Street; thence west on Thirteenth Street to Seegar Alley; thence south on Seegar Alley to Twelfth Street; thence east on twelfth Street to Walnut Street; thence south on Walnut Street to the Miami Canal; thence east along the Miami Canal to Sycamore Street; thence south on Sycamore Street to Court Street, the place of beginning.

Sixth Ward—The Sixth Ward shall include and contain all that territory bounded as follows, to-wit: Beginning at the intersection of Fifth and Race streets; thence north on Race Street to Seventh Street; thence west on Seventh Street to Central Avenue; thence north on Central Avenue to Twelfth Street; thence east on Twelfth Street to Walnut Street; thence south on Walnut Street to the canal; thence east along the canal to Sycamore Street; thence south on Sycamore Street to Court Street; thence east on Court Street to Eggleston Avenue; thence south on Eggleston Avenue to Sixth Street; thence west on Sixth Street to Broadway; thence south on Broadway to Fifth Street; thence west on Fifth Street to Race Street, the place of beginning.

Seventh Ward—The Seventh Ward shall include and contain all that territory bounded as follows, to-wit: Beginning at the intersection of Twelfth Street and Central Avenue; thence north on Central Avenue to Liberty Street; thence east on Liberty Street to Clay Street; thence south on Clay Street to Allison Street; thence east on Allison Street to Main Street; thence south on Main Street to Thirteenth Street; thence west on Thirteenth Street to Seegar Alley; thence south on Seegar Alley to Twelfth Street; thence west on Twelfth Street to Central Avenue, the place of beginning.

Eighth Ward—The Eighth Ward shall include and contain all that territory bounded as follows, to-wit: Beginning at the intersection of John Street and the Ohio River; thence north on John Street to Third Street; thence east on Third Street to Race Street; thence north on Race Street to Fifth Street; thence east on Fifth Street to Broadway; thence north on Broadway to Sixth Street; thence east on Sixth Street to

Eggleston Avenue ; thence south on Eggleston Avenue extended to the Ohio River ; thence west along the Ohio River to John Street, the place of beginning.

Ninth Ward—The Ninth Ward shall include and contain all that territory bounded as follows, to-wit : Beginning at the intersection of Liberty Street and the west line of Section 7 ; thence north on the west line of Section 7 to the intersection of Dorchester Avenue ; thence eastwardly on Dorchester Avenue and Florence Avenue to Symmes Street ; thence north on Symmes Street to Manitou Street ; thence east on Manitou Street to Marquis Street ; thence north on Marquis Street to McMillan Street ; thence east on McMillan Street to May Street ; thence north on May Street to Oak Street ; thence northwardly along the Cincinnati, Lebanon & Northern Railroad to the half section line dividing Section 8 ; thence west on said half section line to Burnet Avenue ; thence south on Burnet Avenue to McMillan Street ; thence west on McMillan Street to Main Street continued ; thence south on Main Street continued and Main Street to Saunders Street ; thence east on Saunders Street to Auburn Avenue ; thence west and south on Sycamore Avenue to Mulberry Street ; thence west on Mulberry Street to Main Street ; thence south on Main Street to Liberty Street ; thence east on Liberty Street to the west line of Section 7, the place of beginning.

Tenth Ward—The Tenth Ward shall include and contain all that territory bounded as follows, to-wit : Beginning at the intersection of Pleasant and Liberty streets ; thence east on Liberty Street to Main Street ; thence north on Main Street to Mulberry Street ; thence east on Mulberry Street to Sycamore Avenue ; thence north and east on Sycamore Avenue to Saunders Street ; thence west on Saunders Street to Main Street ; thence north on Main Street and the continuation thereof to McMillan Street ; thence west on McMillan Street to Vine Street ; thence south on Vine Street to Findlay Street ; thence west on Findlay Street to Race Street ; thence south on Race Street to Green Street ; thence west on Green Street to Pleasant

Street; thence south on Pleasant Street to Liberty Street, the place of beginning.

Eleventh Ward—The Eleventh Ward shall include and contain all that territory bounded as follows, to-wit: Beginning at the intersection of Findlay Street with the Miami and Erie Canal; thence east on Findlay Street to Vine Street; thence north on Vine Street to Polk Street; thence west on Polk Street and Conklin Street to Ohio Avenue; thence north on Ohio Avenue to a point on a line opposite Warner Street; thence west on said line and Warner Street to Victor Street; thence north on Victor Street to McMillan Street; thence west on McMillan Street to Ravine Street; thence north on Ravine Street to Straight Street; thence west on Straight Street to Wagner Street; thence north on Wagner Street extended to Dixmyth Avenue; thence west on Dixmyth Avenue to the Miami and Erie Canal; thence south along said canal to Baymiller Street; thence south on Baymiller Street to Bank Street; thence east on Bank Street to Whiteman Street; thence south on Whiteman Street to Dayton Street; thence east on Dayton Street to the Miami and Erie Canal; thence south-eastwardly along said canal to Findlay Street, the place of beginning.

Twelfth Ward—The Twelfth Ward shall include and contain all that territory bounded as follows, to-wit: Beginning at the intersection of Victor and Warner Streets; thence east on Warner Street extended to Ohio Avenue; thence south on Ohio Avenue to Conklin Street; thence east on Conklin Street and Polk Street to Vine Street; thence north on Vine Street to McMillan Street; thence east on McMillan Street to Burnet Avenue; thence north on Burnet Avenue to the north line of Section 14, Millcreek Township; thence west on said north line to Clifton Avenue; thence south on Clifton Avenue to Dixmyth Avenue; thence west on Dixmyth Avenue to Wagner Street extended; thence south on said extension and Wagner Street to Straight Street; thence east on Straight Street to Ravine Street; thence south on Ravine Street to McMillan

Street ; thence east on McMillan Street to Victor Street ; thence south on Victor Street to Warner Street, the place of beginning.

Thirteenth Ward—The Thirteenth Ward shall include and contain all that territory bounded as follows, to-wit : Beginning at the intersection of the south line of St. John's Catholic Cemetery and the Carthage Pike ; thence south on the Carthage Pike to the north line of Section 15 ; thence east on the north lines of sections 15 and 9 to a point 220 feet west of the Reading Road ; thence northeast on a line dividing lots 33 to 39 and 23 to 30 of Rose-Hill subdivision to the Paddock Road ; thence northwest on Paddock Road to Blachly Road ; thence northeast on Blachly Road and east to the line that divides lots 23 and 22 and 20 and 21 of Joseph W. Blachly's subdivision ; thence south on said line to the Reading Road ; thence southwest on the Reading Road to Hopkins Avenue ; thence east on Hopkins Avenue to Woodburn Avenue ; thence south on Woodburn Avenue to the north line of Section 3, Columbia Township ; thence west to a point 208 feet west of Woodburn Avenue ; thence south to Langdon Avenue ; thence west to the east line of Section 9, Millcreek Township ; thence south on said section line to the south line of Section 9 ; thence west on the section line and Blair Avenue to the northeast corner of the Richard Beresford subdivision ; thence south on the east line of the Richard Beresford subdivision and Thomas French subdivision to the southeast corner of the Thomas French subdivision ; thence west along the Thomas French subdivision line, and being the north line of Melbourne Street, to the east line of Donaldson subdivision, being the half section line dividing Section 8, running from north to south ; thence south along the line of Donaldson and others to the southeast corner of Thomas McGechin subdivision in the line of Staunton Avenue, which is also the half section line dividing Section 8, running east and west ; thence west on said half section line between lots formerly owned by Thomas Hemming and A. H. Ewing to the north line of the property formerly

the Methodist Protestant Cemetery, now Vernon Place subdivision; thence along said north line to Burnet Avenue; thence north on Burnet Avenue to the south line of Section 15; thence west on the south line of Section 15 to Clifton Avenue; thence south on Clifton Avenue to Dixmyth Avenue; thence west on Dixmyth Avenue to the Miami and Erie Canal; thence northwesterly and northeasterly along the Miami and Erie Canal to the south line of St. John's Catholic Cemetery; thence east to the Carthage Pike, the place of beginning.

Fourteenth Ward—The Fourteenth Ward shall include and contain all that territory bounded as follows, to-wit: Beginning at the intersection of Baymiller and Wade streets; thence east on Wade Street to Linn Street; thence north on Linn Street to Liberty Street; thence east on Liberty Street to Pleasant Street; thence north on Pleasant Street to Green Street; thence east on Green Street to Race Street; thence north on Race Street to Findlay Street; thence west on Findlay Street to the Miami and Erie Canal; thence northwestwardly along said canal to Dayton Street; thence west on Dayton Street to Whiteman Street; thence north on Whiteman Street to Bank Street; thence west on Bank Street to Baymiller Street; thence north on Baymiller Street to the Miami and Erie Canal; thence westwardly along said canal to the Brighton Bridge and Colerain Avenue extended; thence south on Colerain Avenue to York Street; thence east on York Street to Baymiller Street; thence south on Baymiller Street to Wade Street, the place of beginning.

Fifteenth Ward—The Fifteenth Ward shall include and contain all that territory bounded as follows, to-wit: Beginning at the intersection of Richmond and Cutter streets; thence east on Richmond Street to Central Avenue; thence north on Central Avenue to Liberty Street; thence west on Liberty Street to Linn Street; thence south on Linn Street to Hopkins Street; thence east on Hopkins Street to Cutter

Street; thence south on Cutter Street to Richmond Street, the place of beginning.

Sixteenth Ward—The Sixteenth Ward shall include and contain all that territory bounded as follows, to-wit: Beginning at the intersection of Baymiller Street and the Ohio River; thence southeastwardly along the Ohio River to Park Street extended; thence north on Park Street to Sixth Street; thence west on Sixth Street to Cutter Street; thence north on Cutter Street to Hopkins Street; thence west on Hopkins Street to Baymiller Street; thence south on Baymiller Street to Cedar Alley; thence west on Cedar Alley to Freeman Avenue; thence south on Freeman Avenue to Seventh Street; thence east on Seventh Street to Baymiller Street; thence south on Baymiller Street to the Ohio River, the place of beginning.

Seventeenth Ward—The Seventeenth Ward shall include and contain all that territory bounded as follows, to-wit: Beginning at the intersection of Carr Street and the Ohio River; thence southeastwardly along the Ohio River to Baymiller Street; thence north on Baymiller Street to Seventh Street; thence west on Seventh Street to Freeman Avenue; thence north on Freeman Avenue to Cedar Alley; thence east on Cedar Alley to Baymiller Street; thence north on Baymiller Street to Hopkins Street; thence east on Hopkins Street to Linn Street; thence north on Linn Street to Laurel Street; thence west on Laurel Street to Freeman Avenue; thence north on Freeman Avenue to Armory Avenue; thence east on Armory Avenue to Dudley Street; thence north on Dudley Street to Wade Street; thence west on Wade Street to McLean Avenue; thence north on McLean Avenue to Liberty Street; thence west on Liberty Street to the Baltimore & Ohio Southwestern Railroad; thence south along the Baltimore & Ohio Southwestern Railroad to Gest Street; thence east on Gest Street to McLean Avenue; thence south on McLean Avenue to Eighth Street; thence east on Eighth

Street to Carr Street; thence south on Carr Street to the Ohio River, the place of beginning.

Eighteenth Ward—The Eighteenth Ward shall include and contain all that territory bounded as follows, to-wit: Beginning at the intersection of Park Street extended and the Ohio River; thence east along the Ohio River to John Street extended; thence north on John Street to Third Street; thence east on Third Street to Race Street; thence north on Race Street to Seventh Street; thence west on Seventh Street to Central Avenue; thence north on Central Avenue to Richmond Street; thence west on Richmond Street to Cutter Street; thence south on Cutter Street to Sixth Street; thence east on Sixth Street to Park Street; thence south on Park Street to the Ohio River, the place of beginning.

Nineteenth Ward—The Nineteenth Ward shall include and contain all that territory bounded as follows, to-wit: Beginning at the intersection of Anderson-Ferry Road and the Ohio River; thence northeastwardly along the Ohio River to Carr Street; thence north on Carr Street to Eighth Street; thence west on Eighth Street to McLean Avenue; thence north on McLean Avenue to Gest Street; thence west on Gest Street to the Baltimore & Ohio Southwestern Railroad; thence north along the Baltimore & Ohio Southwestern Railroad to Liberty Street; thence west on Liberty Street to Neff Avenue extended; thence south on said extension, Neff Avenue, Wilder Street, and Warsaw Avenue to Eighth Street; thence west on Eighth Street to Price-Hill Road; thence south on Price-Hill Road to the intersection of Elberon Avenue; thence southwestwardly on Elberon Avenue to the intersection of Purcell Avenue; thence on a line from said intersection to the first angle on Steiner Avenue south of Edwin Avenue; thence north on Steiner Avenue to the intersection of Garfield Avenue; thence on a line from said intersection to the intersection of Vaughn Road and the west line of Section 35, Storrs Township; thence south on said section line to the southwest corner of Section 35,

Storrs Township; thence westwardly along the north corporation line of the former village of Riverside to the intersection of the west line of Section 10, Delhi Township, and Anderson-Ferry Road; thence south on Anderson-Ferry Road to the Ohio River, the place of beginning.

Twentieth Ward—The Twentieth Ward shall include and contain all that territory bounded as follows, to-wit: Beginning at the intersection of Elberon Avenue and Price-Hill Road; thence north on Price-Hill Road to the Incline Plane and Eighth Street; thence east along the Incline Plane and Eighth Street to Warsaw Avenue; thence north along Warsaw Avenue, Wilder Street, and Neff Avenue extended to the north line of Section 30, Storrs Township; thence east along the north line of Section 30 to Mill Creek; thence north along Mill Creek to the Lickrun Sewer; thence west along the Lickrun Sewer to Beekman Street; thence south on Beekman Street to Harrison Avenue; thence northwest on Harrison Avenue to the Lickrun Sewer; thence west along the Lickrun Sewer to Shadwell Street; thence south on Shadwell Street to Westwood Avenue; thence west on Westwood Avenue to Grand Avenue and the west line of Section 25, Millcreek Township; thence south on the west line of Section 25, Millcreek Township, and Grand Avenue to the northeast corner of Section 36, Storrs Township; thence west along the north line of Section 36, Storrs Township, and the north lines of Sections 6 and 12, Delhi Township, to the half section line of Section 12, Delhi Township; thence south on the half section line of Section 12, Delhi Township, to the south line of Section 12, Delhi Township; thence east on the south lines of Sections 12 and 6, Delhi Township, to the northwest corner of Section 35, Storrs Township; thence south on the west line of Section 35, Storrs Township, to the intersection of Vaughn Road; thence east on a line from said intersection to the intersection of Garfield Avenue and Steiner Avenue; thence south on Steiner Avenue to the first angle south of

Edwin Avenue; thence east on a line from said angle to the intersection of Elberon Avenue and Purcell Avenue; thence northeastwardly on Elberon Avenue to Price-Hill Road, the place of beginning.

Twenty-first Ward—The 'Twenty-first Ward shall include and contain all that territory bounded as follows, to-wit: Beginning at the intersection of Laurel Street and Freeman Avenue; thence east on Laurel Street to Linn Street; thence north on Linn Street to Wade Street; thence west on Wade Street to Baymiller Street; thence north on Baymiller Street to York Street; thence west on York Street to Colerain Avenue; thence north on Colerain Avenue to Harrison Avenue; thence west on Harrison Avenue to McLean Avenue; thence south on McLean Avenue to Wade Street; thence east on Wade Street to Dudley Street; thence south on Dudley Street to Armory Avenue; thence west on Armory Avenue to Freeman Avenue; thence south on Freeman Avenue to Laurel Street, the place of beginning.

Twenty-second Ward—The 'Twenty-second Ward shall include and contain all that territory bounded as follows, to-wit: Beginning at the intersection of Liberty Street and McLean Avenue; thence north on McLean Avenue to Harrison Avenue; thence east on Harrison Avenue to Colerain Avenue; thence north on Colerain Avenue to the Miami and Erie Canal at Browne-street Bridge; thence north with the Miami and Erie Canal to Streng Street; thence west on Streng Street to Colerain Avenue; thence north on Colerain Avenue to Mill Creek; thence south on Mill Creek to Liberty Street; thence east on Liberty Street to McLean Avenue, the place of beginning.

Twenty-third Ward—The 'Twenty-third Ward shall include and contain all that territory bounded as follows, to-wit: Beginning at the intersection of Streng Street with the Miami and Erie Canal; thence west on Streng Street to Colerain Avenue; thence northwest on Colerain Avenue to Mill Creek; thence southwest along Mill Creek to Westfork Creek; thence west

and northwest with Westfork Creek and its meanderings to Hoffner Street; thence east on Hoffner Street to Colerain Avenue; thence northwest on the north line of Wesleyan Cemetery to Westfork Creek; thence west on Westfork Creek to the western corporation line; thence north on the western corporation line to the north corporation line; thence east on the north corporation line to a point in the southeast corner of the north half of Section 29, Millcreek Township; thence south on the east line of Section 29 to the northeast corner of Section 28, Millcreek Township; thence east on the north line of Section 22, Millcreek Township, to Linden Road; thence south and southwest with Linden Road to Linden Street; thence southeast with Linden Street to the Cincinnati, Hamilton & Dayton Railroad; thence northeast with the Cincinnati, Hamilton & Dayton Railroad 1,200 feet to a point; thence in a direct line southeast to the Miami and Erie Canal; thence southwest with the Miami and Erie Canal to Streng Street, the place of beginning.

Twenty-fourth Ward—The Twenty-fourth Ward shall include and contain all that territory bounded as follows, to-wit: Beginning at the intersection of Mill Creek and the Lickrun Sewer; thence north with Mill Creek to the north corporation line of the city; thence west on the north corporation line to the western corporation line of the city; thence south on the western corporation line of the city to the southwest corner of Section 31, Millcreek Township; thence east on the south line of Section 31 to the east line of said section or Grand Avenue; thence north on Grand Avenue and the east line of Section 31 to Westwood Avenue; thence east on Westwood Avenue to Shadwell Street; thence north on Shadwell Street to the Lickrun Sewer; thence east on Lickrun Sewer to Harrison Avenue; thence southeastwardly on Harrison Avenue to Beekman Street; thence north on Beekman Street to the Lickrun Sewer; thence east on Lickrun Sewer to Mill Creek; the place of beginning.

NO. 1038. Passed February 21, 1896.

To organize into a new ward and to attach to existing wards the territory heretofore annexed and known as Avondale, Clifton, Linwood, Riverside, and Westwood.

Be it ordained by the Board Legislation of Cincinnati:

SEC. 1. That the territory heretofore annexed and known as the incorporated villages of Clifton and Avondale be and the same is organized into a new ward, known as Ward 31; that the territory annexed and known as the incorporated village of Westwood be and the same is attached to Ward 30, and made part and parcel thereof; that the territory heretofore annexed and known as the incorporated village of Linwood be and the same is attached to Ward 1, and made part and parcel thereof; and that the territory heretofore annexed and known as the incorporated village of Riverside be and the same is attached to Ward 29, and made part and parcel thereof.

[NOTE.—This stands for reference.]

A RESOLUTION. Passed May 29, 1899.

Approving agreement between the City of Cincinnati and the Village of College Hill for supply of water to College Hill.

Resolved, That the accompanying agreement between the city of Cincinnati and the village of College Hill, Ohio, made by the Board of City Affairs, for supplying College Hill with water, be and the same is hereby approved and concurred in.

This agreement, entered into this 13th day of May, A. D. 1899, by and between the city of Cincinnati, acting through its Board of City Affairs, party of the first part, and the village of College Hill, acting through its Council, party of the second part, *witnesseth*: That in consideration of the mutual promises herein contained said party of the first part agrees to furnish to the party of the second part a water-supply, from the surplus water-supply of said city of Cincinnati, for a period of twenty years from the date of the execution of this contract. That in consideration of said mutual agreements said party of the second part agrees as follows:

1. To extend the six-inch water-main now in Hamilton Avenue in the city of Cincinnati from its present terminus to the corporation line, which divides said city of Cincinnati and said village of College Hill, where the same intersects said Hamilton Avenue.

2. To install and maintain in Hamilton Avenue, at or near the corporation line aforesaid, a water-meter, and to protect and at all times keep properly protected said water-meter.

3. To perform all the work above stipulated under the direction and to the satisfaction of the Board of City Affairs of said city of Cincinnati, and in accordance with and subject to the laws and ordinances applicable to such cases.

4. To provide, at the cost and expense of said village of College Hill, for the laying of all water-pipes and mains, and for the making of all connections therewith within the said village of College Hill, and to provide for the proper protection of said pipes and connections.

5. To pay to the party of the first part, during the continuance of this contract, for said water-supply the sum of twelve cents for every one hundred cubic feet of water supplied as aforesaid, said sum to be paid monthly upon bills rendered by the party of the first part to the party of the second part.

6. To protect and hold harmless the city of Cincinnati from all liability for any damages and claims for damages which may arise in consequence of the installation of said water-meter, of laying said pipes, of making said connections, and of supplying said water within the limits of said village of College Hill.

In witness whereof, Said city of Cincinnati by the president of its Board of City Affairs, thereunto duly authorized by resolution of said board passed on the 19th day of January, 1899, and said village of College Hill by its mayor, thereunto duly authorized by resolution of the Council of said village passed on the 20th day of March, 1899, have caused their names to be signed and their seals to be affixed to this agreement in duplicate, at Cincinnati, Ohio, on the day and year aforesaid.

NO. 499. Passed July 2, 1900.

To create the office of examiner of weights and measures, and to amend Section 3 of an ordinance therein named.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That for the purpose of rectifying apparent defects in Section 3 of an ordinance entitled "An ordinance to amend an ordinance entitled 'An ordinance for the regulation of weights and measures, passed April 27, 1849, and to repeal sections 4, 6, 7, 8, and 9 therein named,'" passed November 21, 1862, and for the further purpose of enlarging the powers and duties of the examiner of weights and measures herein provided for, said Section 3 be and is hereby amended to read as follows: "Section 3. That there be and is hereby created the office of examiner of weights and measures, who on the taking effect of this ordinance shall be appointed by the mayor, subject to the approval of the Board of Legislation, to serve for the period of one year from the date of his confirmation, and until his successor shall have been appointed and qualified. Successors shall be appointed by the mayor in like manner and for a like term. Vacancies shall be filled by the mayor for the unexpired term, subject to the approval of the Board of Legislation. Before entering upon his duties the examiner shall give bond in the sum of three thousand dollars, conditioned, approved, and payable in the manner required by law. For his services he shall be entitled to receive the compensation provided in the above-entitled ordinance, and the city shall not be liable to any assistant, clerical or otherwise, whom he may employ to assist him in the discharge of his duties. The examiner herein provided for shall be the sealer of weights, measures, and scales; and he shall have the powers and shall perform the duties heretofore conferred upon or required of the inspector and sealer of weights and measures by the above-entitled ordinance, and by any other ordinance of the city or by any law of the state of Ohio. He shall cause the laws and ordinances relating to weights, measures, and scales to be enforced and violations of the same to be prosecuted, and shall see that fines

and penalties collected are credited, as required by Section 10 of the above-entitled ordinance. On or before the first day of February annually he shall submit to the mayor a report in writing of the transactions of his office, including a statement of the monthly collection of fees for the last preceding fiscal year. Upon the appointment and qualification of the examiner of weights and measures, who shall be considered the successor of said inspector and sealer of weights and measures, said office of inspector and sealer of weights and measures is hereby abolished."

SEC. 2. That said Section 3 of the above entitled ordinance be and the same is hereby repealed, and that this ordinance shall take effect and be in force from and after the earliest period allowed by law.

NO. 29. Passed May 29, 1891.

Providing for the appointment of a wharfmaster and wharf-register.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the mayor be and he is hereby authorized and empowered to appoint annually one wharfmaster and one wharf-register, and the said wharfmaster and the said wharf-register shall qualify in the manner now provided for qualification of said officers; and they shall each receive the salary now fixed by ordinance for the said officers respectively, and shall perform all the duties now required or hereafter fixed upon for said officers.

SEC. 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

NO. 42. Passed July 12, 1897.

To abolish the office of wharf-register, and to require the wharfmaster to perform the duties heretofore performed by the wharf-register without additional compensation.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the office of wharf-register of the city be and the same is hereby abolished.

SEC. 2. That the duties heretofore required of and performed by the wharf-register of the city be and the same shall hereafter be performed by the wharfmaster of said city without any additional compensation than that now paid to the wharfmaster of the city.

SEC. 3. That all ordinances and parts of ordinances in conflict herewith be and are hereby repealed.

No. 60. Passed August 16, 1897.

To authorize the wharfmaster to employ a messenger.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the wharfmaster be authorized to appoint a messenger to perform such duties as he may direct, at a salary not to exceed five dollars per week.

No. 383. Passed October 23, 1899.

To provide for the payment of moneys received by the City of Cincinnati for wharfage.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That all revenues received from and after this date for the occupancy of wharf property owned by and under the control of the city be credited by the city auditor to the General Fund.

SEC. 2. That the resolution passed by Council on September 25, 1868, directing the crediting of all revenues received for the occupancy of wharf property to the Wharfage Fund, be and the same is hereby repealed.

No. 524. Passed August 7, 1900.

To regulate receipts and expenditures by the wharfmaster.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That all receipts for wharfage and all charges for the use and occupancy of the public landings of the city of Cincinnati for the mooring of boats and loading or unloading

of cargoes, as established by ordinances now in operation or that may hereafter be passed, shall be credited to the General Fund.

SEC. 2. That all expenditures for wharfage purposes, including the salary of the wharfmaster, shall be paid out of the balance now in the Wharfage Fund until the same is exhausted, and shall thereafter be appropriated and paid out of the General Fund.

SEC. 3. That the city auditor shall keep a strict account of all receipts for wharfage and all expenditures for the same.

SEC. 4. That the resolution adopted September 25, 1868 (Coppock and Hertenstein's Ordinances, p. 153), directing the city auditor to credit all revenue received for the occupancy of wharf property to the Wharfage Fund, be and the same is hereby repealed, and said Wharfage Fund, after the expenditure of the balance now remaining in the same, as provided for in Section 2 hereof, is hereby abolished.

NO. 536. Passed September 10, 1900.

To provide for an assistant to the wharfmaster.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That there be created the position of assistant wharfmaster of the city of Cincinnati, who shall be appointed by the wharfmaster. Such assistant shall assist the wharfmaster in the discharge of the duties of the office of wharfmaster in such manner as the wharfmaster shall require and direct. In the event of the absence from the city or illness of the wharfmaster, or his inability from any other cause to regularly perform the duties of his office, the assistant wharfmaster shall act as wharfmaster, and shall enforce compliance with all the ordinances connected with that position.

SEC. 2. The assistant wharfmaster shall receive for his services the sum of seven hundred and twenty dollars per annum, payable in semi-monthly installments. He shall give bond in the sum of two thousand dollars, approved by the corporation

counsel as to form and by the mayor as to sufficiency, for his faithful performance of all the duties that may devolve upon him, and for the deposit in the city treasury of all moneys belonging to the city that may come into his possession.

NO. 828. Passed April 21, 1902.

Fixing the wharfage fees for the use of the Public Landing and the streets terminating at low-water mark, and providing for the collection thereof.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That wharfage fees for the use of the Public Landing and of the river termini of the various streets which end at low-water mark in the city of Cincinnati shall be as follows: Each and every wharfboat moored directly or indirectly to the Public Landing, or in front thereof, shall pay one half cent per day per lineal foot of the water front occupied by said wharfboat and necessary for the proper mooring of boats. Each and every steamboat or other watercraft, other than wharves and wharfboats, moored directly or indirectly to said Public Landing or in front thereof, and remaining there continuously less than twenty-four hours, shall pay the following sums, in accordance with their hull measurements: Steamboats or other watercrafts registered ten tons and not exceeding one hundred and fifty tons shall pay the sum of one and one half dollars; one hundred and fifty-one tons and over shall pay the sum of two and one half dollars. If such steamboat or watercraft so remain continuously more than twenty-four hours and less than twelve days, it shall pay one and one half cent per ton for every ton said boat shall register, hull measure, but no such wharfage fee shall be less than one dollar and fifty cents; and for any longer period than twelve days which such steamboat or watercraft shall remain it shall pay the sum of one dollar per day for each and every additional day it shall so remain; provided, however, that any steamboat paying such tonnage and daily rate shall have the privilege

of making landings within the city limits to discharge or take on cargoes within the time in which said tonnage and daily rate have been paid. Barges and model barges moored directly or indirectly to the Public Landing, or in front thereof, shall pay two and one half dollars per day for each and every day or fraction of a day it shall remain at the Public Landing. Wharfage fees chargeable against watercraft moored directly or indirectly to any wharfboat are also chargeable against said wharfboat unless otherwise paid. Boats and flats tied to steamboats for the sole purpose of supplying such boats with fuel or provisions, skiffs, yawls, and transient boats whose hull measurement does not exceed ten tons, are exempt from wharfage, unless the space occupied by them should be demanded by watercraft chargeable with wharfage, and provided they are located in accordance with the directions of the wharfinaster.

SEC. 2. The following rates shall be charged for each and every steamboat, barge, or other watercraft, and rafts of logs or lumber, other than wharves and wharfboats, moored directly or indirectly or in front thereof at the river termini of the following streets: Baymiller Street, Race Street, Ludlow Street, and Strader Street, one dollar per day; Mill Street, Smith Street, John Street, Plum Street, Eggleston Avenue, Parsons Street, Whittaker Street, Collard Street, Washington Street, Weeks Street, Niagara Street, Willow Street, Litherbury Street, Reed Street, Broad Street, Walden Street, Brooklyn Street, Hazen Street, Vance Street, Ferry Street, Selas Street, Louis Street, Bayou Street, Lumber Street, Sawyer Street, Queen-City Court, Rogers Street, Foster Street, Munson Street, St. Andrew's Street, Marmet Street, Corbin Street, St. Peter's Street, Brown Street, Mayapple Street, Ridgley Street, Watson Street, Getchel Street, Congress Street, Tennyson Street, McCullough Street, Carrel Street, Evans Street, and Harriet Street, fifty cents per day.

SEC. 3. For all streets which may hereafter be improved to the low-water mark of the river the wharfage charges for

each and every steamboat, barge, or other watercraft shall be one dollar per day.

SEC. 4. Where the expression "Public Landing" is used herein it is hereby declared to mean that portion of the river front extending from the east line of Broadway to the west line of Main Street.

SEC. 5. That cargoes of any kind placed or discharged upon the Public Landing, and remaining there more than four days, shall pay ten cents for each one hundred square feet or less of space of the Public Landing so occupied; and any wharfboat or watercraft which has been sunk or stranded on or in front of the Public Landing, if not raised within fifteen days from the time said boats are sunk or stranded, shall pay ten dollars per day for each and every additional day until removed.

SEC. 6. For all fees herein chargeable to any wharfboat, steamboat, barge, or any other watercraft, or to any cargo or wreck, the owner, lessee, consignee, custodian, and person in control or last in control thereof shall be jointly and severally liable; and any person who shall place any wharfboat, steamboat, barge, or other watercraft, or permit the same or any cargo or wreck to remain, so as to be chargeable with any of the fees herein provided for, without paying such fees upon demand of the wharfmaster, or shall violate any of the provisions of this ordinance, shall on conviction thereof in the Police Court be fined in any sum not exceeding one hundred dollars, with costs of suit.

SEC. 7. All watercraft of whatever kind landing at the Public Landing of the city, or at the river termini of any of the streets herein mentioned, shall be moored at such points or places at the wharf or landing as may be designated therefor by the wharfmaster. The wharfmaster shall be and hereby is authorized and empowered to designate the place or position at the Public Landing where each wharfboat shall lie, and wharfboats shall remove to any other place at the Public Landing whenever the wharfmaster shall so direct.

SEC. 8. All fees herein provided for shall be payable to the wharfinaster, and with all other moneys which he may collect shall be paid by him to the city treasurer; and for the recovery of all fees herein provided said wharfinaster may bring suit, in the name of the city, in any court of competent jurisdiction.

SEC. 9. That Ordinance No. 551, passed October 8, 1900, entitled "An ordinance fixing the wharfage fees for the use of the Public Landing" and providing for the collection thereof, and that Ordinance No. 726, passed January 5, 1894, are hereby repealed, as well as all portions of any other ordinances which are now in effect inconsistent with this ordinance.

NO. 357. Passed September 2, 1892, and approved over Mayor's
disapproval September 30, 1892.

To prohibit the blowing of steam-whistles within the city limits.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the use of steam-whistles by blowing or sounding the same, or causing steam-whistles to be blown or sounded, be and the same is hereby declared to be unlawful within the corporate limits of said city. Any person using the same or causing the same to be used shall be fined in any sum not exceeding fifty dollars, together with the costs of prosecution, or be imprisoned for a term not exceeding thirty days, or both, at the discretion of the Police Court.

SEC. 2. The provisions of this ordinance shall not apply to the use of steam-whistles by railroad companies to warn persons or cattle crossing, walking, or straying upon their tracks, nor to the use of steam-whistles by factories or manufacturing establishments between the hours of 6 and 8 A. M., 12 and 1 P. M., and 4 and 6 P. M., but they shall apply to the use of such steam-whistles upon the approach to and at railroad crossings guarded and protected by safety gates.

SEC. 3. That the ordinance entitled "An ordinance supplementary to an ordinance to provide for the abatement of nuisances and to repeal certain ordinances therein named,"

passed October 1, 1856, and an ordinance entitled "An ordinance to prohibit the blowing of steam-whistles within the city limits," passed March 11, 1892, be and the same are hereby repealed.

NO. 600. Passed August 11, 1893.

To prohibit the laying, stringing, or maintaining of wires or other appliances for electric light, power, telephone, telegraph, or electric wires for any other purpose in the public streets, alleys, and highways without authority.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That whoever, by himself or by his servant or agent, or as the servant or agent of any corporation, partnership, or person, without authority lays, strings, or maintains wires or other appliances for electric light, power, telephone or telegraph, or electric-light wires for any other purposes in, across, or along the public streets, lanes, squares, alleys, or other highways of the city, either above or under the surface of the ground, shall be deemed guilty of a misdemeanor, and shall be fined in any sum not exceeding fifty dollars nor less than ten dollars, and each day such wires or appliances are allowed to remain in, along, or across such streets, lanes, squares, alleys, or other highways shall be deemed and considered a separate and distinct offense, and punishable accordingly.

NO. 864. Passed December 7, 1894.

Granting to the firm of Rheinstrom, Bettman, Johnson & Co. the right to have and maintain not more than six electric-light wires across West Cheapside Street and East Cheapside Street, between Ninth and Court streets.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the firm of Rheinstrom, Bettman, Johnson & Co. be and they are hereby granted the right to have and maintain not more than six electric-light wires across West Cheapside Street and East Cheapside Street, between Ninth and Court streets, in the city of Cincinnati; said wires to be strung from the building in which their office now is to the

building in which their warerooms now are (which building is known as Nos. 303 and 305 Broadway), and to such adjoining premises as may hereafter be used by them in the conduct of their business, and provided that the electric current transmitted over the aforesaid wires is to be used exclusively by the said firm of Rheinstrom, Bettman, Johnson & Co. and by no one else; and no current to be sold by them to any other person or persons.

SEC. 2. This ordinance shall be subject to the provisions and conditions of the general Ordinance No. 4285 so far as they are applicable, and the grant herein shall be for the period of ten years.

No. 52. Passed July 26, 1897.

To give to Wm. G. Reuter a license to transact business upon the terms of and in accordance with Ordinance No. 732, passed January 26, 1894, and entitled "An ordinance prescribing the terms and conditions upon which the business of all telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the City of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage."

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. Whereas W. G. Reuter was in existence and doing business on the 26th day of January, 1894, said day being the time of the passage of Ordinance No. 732, that a license to transact his business for the period of twenty-five years upon the terms and conditions, and in accordance with the said Ordinance No. 732, entitled "An ordinance prescribing the terms and conditions under which the business of telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the city of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage," be and the same is granted to Wm. G. Reuter of Cincinnati, Ohio, provided said person shall within ten days following the passage of this ordinance file with the Board of Administration a good and sufficient bond, in the sum of

five thousand dollars, that said person will comply with the terms of said Ordinance No. 732, and that he will protect the city of Cincinnati against claims for damages that may arise from the placing and use of the wires of said person. This person shall file quarterly with the Board of Administration a statement and plan showing any alteration, additions, or extensions of his system; also the number of each building said wires are attached to. This person shall obtain a permit from the Board of Administration before erecting any wire, brackets, or supports. A sample of wire, brackets, and supports to be used shall be submitted to the Board of Administration for approval before strung or erected.

No. 92. Passed November 8, 1897.

Granting to the Davis & Egan Machine Tool Company the right to have and maintain not more than six electric-light wires across Sixth Street, between Eggleston Avenue and Culvert Street.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Davis & Egan Machine Tool Company be and it is hereby granted the right to have and to maintain not more than six electric-light wires to cross Sixth Street, in the city of Cincinnati; said wires to be strung from the building on the southeast corner of Sixth Street and Eggleston Avenue to the building on the southwest corner of Sixth Street and Eggleston Avenue, said building being known as the southwest corner of Sixth Street and Eggleston Avenue, and to such adjoining premises as may be used by them in the conduct of their business; and provided that the electric current transmitted over the aforesaid wires is to be used exclusively by the Davis & Egan Machine Tool Company and by no one else, and no current to be sold by them to any other person or persons.

SEC. 2. This ordinance shall be subject to the provisions and conditions of general Ordinance No. 4285 so far as they are applicable, and the grant herein shall be for the period of ten years.

No. 108. Passed December 20, 1897.

Granting to the John C. Roth Packing Company the right to have and maintain not more than two electric-light wires from No. 1017 to No. 1018, crossing Oehler Street.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the John C. Roth Packing Company be and it is hereby granted the right to have and to maintain not more than two electric-light wires from No. 1017 to No. 1018, crossing Oehler Street, in the city of Cincinnati; said wires to be strung from No. 1017 to No. 1018, crossing Oehler Street, as may be used by them in the conduct of their business; and provided that the electric current transmitted over the aforesaid wires is to be used exclusively by the John C. Roth Packing Company and by no one else, and no current to be sold by them to any other person or persons.

SEC. 2. This ordinance shall be subject to the provisions and conditions of general Ordinance No. 4285 so far as they are applicable, and the grant herein shall be for the period of ten years.

No. 112. Passed January 12, 1898.

To give the United States Printing Company a license to maintain one eight-conductor cable from the southeast to the northeast corner of Eggleston Avenue and Fifth Street, in the City of Cincinnati, upon the terms of and in accordance with the conditions of Ordinance No. 732, passed January 26, 1894, and entitled "An ordinance prescribing the terms and conditions upon which the business of all telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the City of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage."

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That a license be granted to the United States Printing Company to maintain for the conduct of their business one eight-conductor cable from the southeast to the northeast corner of Eggleston Avenue and Fifth Street, for the period of twenty-five years, upon the terms and conditions of and in accordance with the said Ordinance No. 732.

No. 827. Passed April 21, 1902.

Granting to the United States Printing Company and its successors the right to have and maintain an electric cable under Lock Street, between Fifth and Sixth streets.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the United States Printing Company and its successors be and it hereby is granted the right to have and maintain an electric cable under Lock Street, between Fifth and Sixth streets, in said city, for the purpose of transmitting power from its factory on the corner of Fifth and Lock streets to its factory on the corner of Sixth and Lock streets; provided, however, that the power so transmitted shall be exclusively used by said the United States Printing Company and its successors for the conduct of its own business, and for no other purpose.

SEC. 2. That said the United States Printing Company and its successors be and it hereby is given the right, under the supervision of the Board of Public Service of Cincinnati, Ohio, at its own expense, to open said Lock Street and the sidewalks thereon for the purpose of laying, repairing, and maintaining said electric cable; but it shall replace any opening so made to the satisfaction of said Board of Public Service or of its engineer.

SEC. 3. This ordinance shall be subject to the provisions of general Ordinance No. 4285 so far as the same may be applicable, and the grant herein given shall be for the period of ten years.

No. 119. Passed January 17, 1898.

Granting to the Moerlein Brewing Company the right to have and maintain electric-light wires within the corporate limits of the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Moerlein Brewing Company be and it is hereby granted the right to have and maintain electric-light wires as follows: Four wires crossing Henry Street, between Pleasant and Elm streets; four wires crossing Elm Street,

between McMicken Avenue and Henry Street; two wires crossing McMicken Avenue, between Hazen Alley and Pleasant Street; eighteen wires crossing Hazen Alley, between Henry Street and McMicken Avenue; four wires crossing Pleasant Street, between Henry Street and McMicken Avenue. Said wires to be used exclusively by the said the Moerlein Brewing Company, and by them only in the conduct of their own business; and provided that the electric current transmitted over the aforesaid wires is to be used only by said Moerlein Brewing Company and by no one else, and no current for any purpose whatsoever to be sold or given away by them, or be transmitted by said wires to any other corporation, firm, person, or persons whatsoever; and in case said wires are used by the said Moerlein Brewing Company, or by any other person or persons, except for the purpose hereinbefore stipulated, then in that event this ordinance shall become null and void.

SEC. 2. This ordinance shall be subject to the provisions and conditions of general Ordinance No. 4285 so far as they are applicable, and the grant herein shall be for the period of twenty-five years.

No. 120. Passed January 17, 1898.

To give to the Moerlein Brewing Company a license to maintain wires within the corporate limits of the City of Cincinnati upon the terms of and in accordance with Ordinance No. 732, passed January 26, 1894, and entitled "An ordinance prescribing the terms and conditions upon which the business of all telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the City of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage."

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That a license be granted to the Moerlein Brewing Company to transact and maintain for the conduct of their business for the period of twenty-five years, upon the terms and conditions of and in accordance with the said Ordinance No. 732, the following wires: Six wires crossing Elm Street, between McMicken Avenue and Henry Street; eleven wires

crossing Hazen Alley, between McMicken Avenue and Henry Street. Said wires to be used exclusively by the said the Moerlein Brewing Company, and by them only in the conduct of their own business; and provided that the electric current transmitted over the aforesaid wires is to be used only by the said Moerlein Brewing Company and by no one else, and no current for any purpose whatsoever to be sold or given away by them, or be transmitted by said wires to any other corporation, firm, person, or persons whomsoever; and in case said wires are used by the said Moerlein Brewing Company, or by any other person or persons, except for the purpose hereinbefore stipulated, then in that event this ordinance shall become null and void. This company shall file quarterly with the Board of Administration a statement and plan showing any alteration, additions, or extensions of their system, also the number of each building said wires are attached to. This company shall obtain a permit from the Board of Administration before erecting any wires, brackets, or supports.

NO. 121. Passed January 17, 1898.

Granting to the Gambrinus Stock Company the right to have and maintain electric-light wires within the corporate limits of the City of Cincinnati.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Gambrinus Stock Company be and it is hereby granted the right to have and maintain electric-light wires as follows: Two electric-light wires from said company's building at the northeast corner of Elliott and Sycamore streets to the ice-house opposite on Sycamore Street, also two electric-light wires crossing Elliott Street to stables. Said wires to be used exclusively by the said the Gambrinus Stock Company, and by them only in the conduct of their own business; and provided that the electric current transmitted over the aforesaid wires is to be used only by said Gambrinus Stock Company, and by no one else, and no current for any purpose whatsoever to be sold or given away by them, or be transmitted by said

wires to any other corporation, firm, person, or persons whomsoever ; and in case said wires are used by the said Gambrinus Stock Company, or by any other person or persons, except for the purpose hereinbefore stipulated, then in that event this ordinance shall become null and void.

SEC. 2. This ordinance shall be subject to the provisions and conditions of general Ordinance No. 4285 so far as they are applicable, and the grant herein shall be for the period of twenty-five years.

NO. 126. Passed January 24, 1898.

To give to Messrs. Schmitt and Shaffer, receivers of the Kaufman Brewing Company, a license to maintain two wires from No. 1622 to No. 1628 Vine Street and to No. 1638 Hamer Street, also two bell wires crossing Hamer street to the engine-room, in the City of Cincinnati, upon the terms and in accordance with the conditions of Ordinance No. 732, passed January 26, 1894, and entitled "An ordinance prescribing the terms and conditions upon which the business of all telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the City of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That a license be granted to Messrs. Schmitt and Shaffer, receivers of the Kaufman Brewing Company, to maintain for the conduct of their business two wires from No. 1622 to No. 1628 Vine Street and to No. 1638 Hamer Street, also two bell wires crossing Hamer Street to the engine-room, for the period of ten years, upon the terms and conditions and in accordance with the said Ordinance No. 732. Said wires to be used exclusively by the said company, and by them only in the conduct of their own business ; and provided that the electric current transmitted over the aforesaid wires is to be used only by said company and by no one else, and no current for any purpose whatsoever to be sold or given away by them, or be transmitted by said wires to any other corporation, firm, person, or persons whomsoever ; and in case said wires are used by the said company, or by any other person or persons,

except for the purpose hereinbefore stipulated, then in that event this ordinance shall become null and void.

No. 127. Passed January 24, 1898.

Granting to the American Oak Leather Company the right to have and maintain not more than four electric-light wires from No. 1413 to No. 1412, crossing Dalton Avenue.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the American Oak Leather Company be and are hereby granted the right to have and to maintain not more than four electric-light wires from No. 1413 to No. 1412, crossing Dalton Avenue, in the city of Cincinnati; said wires to be strung from No. 1413 to No. 1412, crossing Dalton Avenue. Said wires to be used exclusively by the said company, and by them only in the conduct of their own business; and provided that the electric current transmitted over the aforesaid wires is to be used only by said company and by no one else, and no current for any purpose whatsoever to be sold or given away by them, or to be transmitted by said wires to any other corporation, firm, person, or persons whomsoever; and in case said wires are used by the said company, or by any other person or persons, except for the purpose hereinbefore stipulated, then in that event this ordinance shall become null and void.

SEC. 2. This ordinance shall be subject to the provisions and conditions of general Ordinance No. 4285 so far as they are applicable, and the grant herein shall be for the period of ten years.

No. 128. Passed January 24, 1898.

To give to Hudepohl & Kotte, proprietors of the Buckeye Brewery, a license to maintain electric-light wires upon the terms of and in accordance with the conditions of Ordinance No. 4285 of the Board of Legislation.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That Hudepohl & Kotte, proprietors of the Buckeye Brewery, are hereby granted the right to have and maintain electric-light wires as follows: Two wires from their office,

No. 46 East McMicken Avenue, crossing Hurst Alley, to the brewery premises in rear of said office, upon the terms of and in accordance with conditions of general Ordinance No. 4285 of the Board of Legislation.

SEC. 2. This grant shall be for the period of twenty-five years; and it is provided that said wires shall be used exclusively for the purposes of the Buckeye Brewery and by no one else, and no current for any purpose whatsoever to be sold or given away by them, or to be transmitted by said wires to any other corporation, firm, person, or persons whomsoever; and in case said wires are used by said Hudepohl & Kotte, or any other person or persons, except for the purpose hereinbefore stipulated, then in that event this ordinance shall become null and void.

NO. 129. Passed January 24, 1898.

To give to Hudepohl & Kotte, proprietors of the Buckeye Brewery, a license to maintain two telephone wires upon the terms of and in accordance with the conditions of Ordinance No. 732 of the Board of Legislation, passed January 26, 1894.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That a license is hereby granted to Hudepohl & Kotte, proprietors of the Buckeye Brewery, to maintain two telephone wires from their office, No. 46 East McMicken Avenue, crossing Hurst Alley, to the brewery premises, in rear of said office, upon the terms of and in accordance with the conditions of Ordinance No. 732 of the Board of Legislation, passed January 26, 1894.

SEC. 2. This grant shall be for a period of twenty-five years; and it is provided that said wires shall be used exclusively for the purposes of the Buckeye Brewery in the conduct of the business of that establishment; and in case said wires are used by said Hudepohl & Kotte, or by any other person or persons, except for the purpose of telephone as here specified, then and in that event this grant shall become null and void.

NO. 140. Passed February 7, 1898.

Granting to the Jung Brewing Company of Cincinnati, O., the right to have and maintain electric-light wires across Freeman Avenue, Bogen Alley, and Bank Street.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That the Jung Brewing Company of Cincinnati, Ohio, be and it is hereby granted the right to have and maintain not more than two electric-light wires from the brewery building, located on the west side of Freeman Avenue, between Garden and Bank streets, across Freeman Avenue, to the building on the east side of Freeman Avenue, opposite the southeast corner of said brewery building; also the right to have and maintain not more than two electric-light wires from the brewery building aforesaid across Bank Street; thence across the roofs of the buildings on the north side of Bank Street and the west side of Freeman Avenue to a point opposite the stable and storage building of the Jung Brewing Company, located on the east side of Freeman Avenue, between Bank Street and Central Avenue; thence across Freeman Avenue to said stable and storage buildings; also the right to have and maintain not more than two electric-light wires from the brewery building aforesaid across Bank Street; thence over the tops of the houses on the north side of Bank Street to the building on the northeast corner of Bank and Kindle streets; also the right to have and maintain not more than two electric-light wires from the said brewery building across Bogen Alley, in the rear of said brewery, and running from Garden to Bank Street; all of said premises being used entirely or in part by the said Jung Brewing Company in the conduct of its business; and provided that the electric current transmitted over the aforesaid electric-light wires is to be used exclusively by the Jung Brewing Company and by no one else, and no current is to be sold by the Jung Brewing Company to any person or persons.

SEC. 2. This ordinance shall be subject to all the provisions and conditions of general Ordinance No. 4285 as far as

they are applicable, and the grant hereby shall be for the period of ten years.

No. 167. Passed April 4, 1898.

To give to the Windisch-Muhlhauser Brewing Company a license to maintain wires within the corporate limits of the City of Cincinnati, upon the terms of and in accordance with Ordinance No. 732 passed January 26, 1894, and entitled "An ordinance prescribing the terms and conditions upon which the business of all telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the City of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage."

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That a license be granted to the Windisch-Muhlhauser Brewing Company to transact and maintain for the conduct of their business for the period of twenty-five years, upon the terms and conditions of and in accordance with the said Ordinance No. 732, the following-named wires: Five wires from southwest corner of Liberty and Plum streets to stables along west side of Plum north of Oliver Street; four wires from the southwest corner of Liberty and Plum streets to the store-room at the northeast corner of Liberty and Plum streets; three wires from the northeast corner of Liberty and Plum streets to stables along west side of Plum Street north of Oliver Street; seven wires from the west side of Canal between Liberty and Wade streets to the east side of Canal between Liberty and Wade streets; eight wires from the north side of Wade to the south side of Wade Street, between Canal and Providence streets; four wires underground from the north side of Wade to the south side of Wade Street, between Plum and Providence streets. Said wires to be used exclusively by the said the Windisch-Muhlhauser Brewing Company, and by them only in the conduct of their own business. In case said wires are used by the said Windisch-Muhlhauser Brewing Company, or by any other person or persons, except for the purpose hereinbefore stipulated, then in that event this ordinance shall become null and void. This company shall file quarterly with

the Board of Administration a statement and plan, showing any alteration, additions, or extensions of their system; also the number of each building said wires are attached to. This company shall obtain a permit from the Board of Administration before erecting any wire, brackets, or supports.

NO. 181. Passed May 16, 1898.

Granting to Henry J. Kreiss the right to string and maintain a telephone wire.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That Henry J. Kreiss be and he is hereby granted the right to string and maintain a telephone wire, running from his news depot, No. 2205 Eighth Street, across said street to the house of B. Kuhlman, known as No. 2139 Eighth Street; thence to the house of O. E. Platt, at the northwest corner of Eighth and State Avenue; and thence to the house of Henry Bertling, No. 815 State Avenue.

SEC. 2. The period of this grant shall be five years from the date of the passage of this ordinance.

NO. 243. Passed May 23, 1898.

To grant a license under the terms of Ordinance No. 732, passed January 26, 1894, to F. D. Schopper.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That a license to transact his business of telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling devices, for the period of twenty-five years, upon the terms and conditions of and in accordance with Ordinance No. 732 of the Board of Legislation, passed January 26, 1894, be and the same is hereby granted to F. D. Schopper of Cincinnati, O., provided he shall, within ten days following the passage of this ordinance, file with the Board of Administration or its successors a good and sufficient bond, in the sum of five thousand dollars, that he will comply with the terms of said Ordinance No. 732, and that he will protect the city of Cincin-

nati against claims for damages that may arise from the placing and use of wires by said person. He shall file quarterly with the Board of Administration or its successors a statement and plan showing any alteration, additions, or extensions of his system, and the number of each building to which wires are attached. He shall obtain a permit from the Board of Administration or its successors before erecting any wires, brackets, or supports. Samples of wires, brackets, and supports to be used shall be submitted to the Board of Administration or its successors for approval before being strung and erected.

NO. 202. Passed June 27, 1898.

To grant to James Heekin & Co. the right to string and maintain a fire-alarm wire.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That permission is hereby granted to James Heekin & Co. to string and maintain a wire connecting their premises at the northwest corner of Walnut and Water streets with engine-house No. 1 of the Cincinnati Fire Department, at the northeast corner of Race and Commerce streets, for the purpose of private fire-alarm, and for no other purpose whatsoever.

SEC. 2. This grant shall be for a period of twenty years, under the terms and conditions of Ordinance No. 732 of the Board of Legislation, passed January 26, 1894.

NO. 294. Passed March 27, 1899.

To give to A. Becker a license to transact business upon the terms of and in accordance with Ordinance No. 732, passed January 26, 1894, and entitled "An ordinance prescribing the terms and conditions upon which the business of all the telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the City of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage."

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. Whereas A. Becker was in existence and doing business on the 26th day of January, 1894, said day being the time of the passage of Ordinance No. 732, that a license to

transact his business for the period of twenty-five years, upon the terms and conditions and in accordance with the said Ordinance No. 732, entitled "An ordinance prescribing the terms and conditions upon which the business of telephone, telegraph, burglar - alarm, fire - alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the city of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage," be and the same is hereby granted to A. Becker of Cincinnati, Ohio, provided said person shall within ten days following the passage of this ordinance file with the Board of City Affairs a good and sufficient bond, in the sum of five thousand dollars, that said person will comply with the terms of said Ordinance No. 732, and that he will protect the city of Cincinnati against claims for damages that may arise from the placing and use of the wires of said person. This person shall file quarterly with the Board of City Affairs a statement and plan showing any alteration, additions, or extensions of his system; also the number of each building said wires are attached to. This person shall obtain a permit from the Board of City Affairs before erecting any wire, brackets, or supports. A sample of wire, brackets, and supports to be used shall be submitted to the Board of City Affairs for approval before strung or erected.

NO. 300. Passed May 1, 1899.

Providing for the stringing of wires by Daniel J. Dalton.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That a license to transact his business for the period of twenty - five years upon the terms and conditions and in accordance with Ordinance No. 732, entitled "An ordinance prescribing the terms and conditions under which the business of telephone, telegraph, burglar - alarm, fire - alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the city of Cincinnati by any person, company, or corporation securing permission by special

ordinance so to engage," be and the same is granted Daniel J. Dalton of Cincinnati, Ohio, provided said person shall within ten days following the passage of this ordinance file with the Board of City Affairs a good and sufficient bond, in the sum of two thousand dollars, that said person will comply with the terms of said Ordinance No. 732, and that he will protect the city of Cincinnati against claims for damages that may arise from the placing and use of the wires of said person. This person shall file quarterly with the Board of City Affairs a statement and plan showing any alteration, additions, or extensions of his system; also the number of each building said wires are attached to. This person shall obtain a permit from the Board of City Affairs before erecting any wire, brackets, or supports. A sample of wire, brackets, and supports to be used shall be submitted to the Board of City Affairs for approval before strung or erected.

No. 318. Passed June 5, 1899.

Granting Cohen & Co. the right to have and maintain one electric wire across Sixth Street, between Elm and Race streets.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That Cohen & Co. be and they are hereby granted right to have and maintain one electric wire, of the size now in use, across Sixth Street, between Race and Elm streets, in the city of Cincinnati; said wire to remain as now located and for the transmission of current as now in use.

SEC. 2. This ordinance shall be subject to the provisions and limitations contained in general Ordinance No. 4285 so far as the same are applicable, and the grants herein shall be for a period of ten years.

SEC. 3. Be it further ordained that in the event of the wires being changed or the current being used for any other purpose than that now existing, then this ordinance shall be null and void.

No. 331. Passed June 26, 1899.

Granting to Thomas J. Emery and John J. Emery and their heirs the right to have and maintain electric wires under Vine Street, between Fourth and Fifth streets.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That Thomas J. Emery and John J. Emery and their heirs be and they hereby are granted the right to have and maintain electric-light wires under Vine Street, between Fourth and Fifth streets; said wires to be from the premises on the west side of Vine Street, upon which is situated what is known as the Arcade or Emery-Hotel building, in which premises the said Thomas J. Emery and John J. Emery are interested, to other premises now owned or leased by them on the east side of Vine Street; provided that the electric current which may be transmitted through or over the aforesaid wires is to be used exclusively either by the said Thomas J. Emery and John J. Emery or either of them, or their or either of their heirs, or by their or either of their tenants, and by no one else; and no current transmitted over such wires shall be sold by the said Thomas J. Emery and John J. Emery or either of them, or by their heirs or either of their heirs, to any person or persons other than to their or his tenant or tenants.

SEC. 2. This ordinance shall be subject to the provisions and conditions of the general Ordinance No. 4285 so far as applicable, and the grant herein shall be for the period of ten years.

No. 364. Passed September 5, 1899.

Granting to the firm of Sauerston & Brown the right to have and maintain not more than one electric-light wire across Elm Street, between Court and Ninth streets.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the firm of Sauerston & Brown be and they hereby are granted the right to have and maintain not more than one electric-light wire across Elm Street, between Ninth and Court streets, in the city of Cincinnati, and said wire to

be strung from the building Nos. 920 and 922 Elm Street, in which their office now is, to the building No. 312 Richmond Street, in which their warerooms now are, and to such adjoining premises as may hereafter be used by them in the conduct of their business; and provided that the electric current transmitted over the aforesaid wire is to be used exclusively by the aforesaid firm of Sauerston & Brown, and by no one else; and no current to be sold by them to any other person or persons.

SEC. 2. This ordinance shall be subject to the provisions and conditions of the general Ordinance No. 4285 as far as they are applicable, and the grant herein shall be for the period of ten years.

NO. 428. Passed February 19, 1900.

**Granting to the Arctic Ice Company the right to have and maintain
electric wires across Mathers Street.**

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1 That there be and is hereby granted to the Arctic Ice Company, a corporation, the right to have and maintain four electric wires over and across Mathers Street, between the premises of said company on the east side of said Mathers Street and its premises on the west side of said Mathers Street; provided that said wires shall be used only for the transmission of electric current to be used in the conduct of the business of said company for lighting, power, and telephone purposes, and that no electric current transmitted by said wires shall be sold or given away, or be transmitted by said wires to any other corporation, firm, person, or persons whomsoever; and in case said wires are used by said Arctic Company, or by any other person or persons, except for the purpose hereinbefore stipulated, then and in that event this ordinance shall become null and void.

SEC. 2. That the rights hereby granted shall continue for ten years from the date of the passage of this ordinance, and

that the exercise thereof shall be subject to the provisions of general Ordinance No. 732 and general Ordinance No. 4285 of the city of Cincinnati so far as the same are applicable.

No. 432. Passed February 26, 1900.

Granting to Joseph C. Butler the right to lay and maintain electric wires across and beneath Thorpe Alley.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the right is hereby granted to Joseph C. Butler, his heirs or assigns, to lay and maintain wires beneath Thorpe Alley, at a distance of sixteen feet below the surface thereof, in such manner as to connect his building fronting on the south side of Sixth Street with the rooms of the Cincinnati Gymnasium, for the purpose of furnishing electric light thereto, and for no other purpose whatsoever.

SEC. 2. This right shall be for the period of twenty years, and shall then expire; provided, however, that in event of its interfering at any time with the contract obligations of the city of Cincinnati, or with the regular and legitimate operations of any of its departments, then and in that event it shall cease and determine.

[NOTE.—Repealed by Ordinance No. 839, passed May 5, 1902.]

No. 451. Passed March 26, 1900.

Granting to the Wilmer Building Company the right to have and maintain not more than two electric-light wires, extending from the Nevada Building, at the southeast corner of Fifth and Sycamore streets, to the Dakota Building, at the northwest corner of Fifth and Sycamore streets.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the Wilmer Building Company be and they are hereby granted the right to have and maintain not more than two electric-light wires, extending from the Nevada Building, at the southeast corner of Fifth and Sycamore streets, to the Dakota Building, at the northwest corner of Fifth and Sycamore streets. Said wires are to be used exclusively by

the Wilmer Building Company, and by them only in the conduct of their business; and provided that the electric current transmitted over the aforesaid wires is to be used only by the said the Wilmer Building Company and by no one else; and no current for any purpose whatsoever is to be sold or given away by them, or be transmitted to any other corporation, firm, person, or persons whomsoever; and in case said wires are used by the said the Wilmer Building Company, or by any other corporation, firm, person, or persons, except for the purpose hereinbefore stipulated, then in that event this ordinance shall become null and void.

SEC. 2. This ordinance shall be subject to the provisions and conditions of general Ordinance No. 4285 in so far as they are applicable, and the grant herein shall be for the period of twenty years.

No. 1196. Passed March 29, 1897.

Granting to the St. Clair Cab and Mounted Messenger Company a license to transact business under the terms of and in accordance with the conditions of Ordinance No. 732 of the Board of Legislation of the City of Cincinnati, passed January 26, 1894.

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That a license to transact its business for the period of ten years, under the terms and conditions of and in accordance with an ordinance numbered 732 of the Board of Legislation, and entitled "An ordinance prescribing the terms and conditions under which the business of telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the city of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage, and to repeal Ordinance No. 683, passed November 17, 1893," be and the same is hereby granted to the St. Clair Cab and Mounted Messenger Company, provided said St. Clair Cab and Mounted Messenger Company shall within ten days following the passage of this ordinance file with the Board of Administration a good and sufficient bond, in the sum of

five thousand dollars, that said company will comply with the terms of said Ordinance No. 732, and that it will protect the city of Cincinnati against claims for damages that may arise from the placing and use of the wires of said St. Clair Cab and Mounted Messenger Company.

No. 1198. Passed March 29, 1897.

To give unto the American Cab Company a license to transact business upon the terms and in accordance with Ordinance No. 732, passed January 26, 1894, and entitled "An ordinance prescribing the terms and conditions upon which the business of all telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the City of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage."

Whereas the American Cab Company was in existence on the 26th day of January, 1894, said day being the time of the passage of Ordinance No. 732; and whereas said American Cab Company did March 6, 1894, give notice of its acceptance of said Ordinance No. 732; therefore be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That a license to transact its business for the period of twenty-five years upon the terms and conditions and in accordance with the said Ordinance No. 732, entitled "An ordinance prescribing the terms and conditions under which the business of telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the city of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage," be and the same is granted to the American Cab Company of Cincinnati, Ohio, provided said American Cab Company shall within ten days following the passage of this ordinance file with the Board of Administration a good and sufficient bond, in the sum of five thousand dollars, that said company will comply with the terms of said Ordinance No. 732, and that it will protect the city of Cincinnati against claims for damages that may arise from the placing and use of the wires of said American Cab Company.

A RESOLUTION. Passed by Common Council, March 12, 1873.

To grant permission to the City and Suburban Telegraph Association and others to erect telegraph lines.*

Resolved, That the City and Suburban Telegraph Association have permission to erect poles and private telegraph lines in the streets of the city, to be placed under the direction of the city civil engineer; provided that all poles shall be peeled and pointed, of not less than thirty feet in height nor less than six inches in diameter at the top, that the base of the poles shall be set at least three feet below the surface of the street, and that there shall not be more than three of such poles located on any one square; provided also that the City and Suburban Telegraph Association shall file a written acceptance of the terms of this resolution with the city clerk, and enter into a good and sufficient bond, in the sum of fifty thousand dollars, to the satisfaction of the city auditor, conditioned to put the street where such poles are placed in as good condition as before their erection; provided further that whenever it shall become necessary to occupy these poles with the wires of the fire and police telegraph of the city, such occupancy shall be free of expense to the city, except such expense as becomes necessary by reason of such change; and provided further that said association reserves for the use of the fire and police telegraph four inches of the top of each pole erected under the provisions of this resolution; and provided further that any individual, firm, or corporation shall have the right to attach wires to said poles upon the payment to said association of the prorata cost of said lines, and such attachment shall be made as directed by said association, the object being to avoid the placing of duplicate posts or lines of posts on the streets.

* This is inserted because it did not appear in Coppock & Hertenstein.

No. 270. Passed February 13, 1899.

To provide for the submission to vote at the next municipal election of a proposition to purchase and appropriate for park purposes the real estate known as the Zoological Garden.

[NOTE.—The vote on this question resulted in 27,926 yeas and 11,840 nays, carrying it. The appropriation has not yet been ordered.]

No. 103. Passed September 18, 1891.

To make it unlawful for any person or persons to dig up or destroy, or to take or carry away, or to sell or to dispose of any rock, stone, dirt, or other material in any road, street, water-course, or creek within the city limits.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That it shall be unlawful for any person or persons to dig up or in any manner destroy or injure any road, street, public water-course, or creek within the city limits, or to take or carry away from any such road, street, public water-course, or creek within such city limits any stone, rock, dirt, or other material therein, or to sell therefrom any such stone, rock, earth, or other material, such person or persons not being the owner thereof; and any person guilty of violating the provisions of this ordinance shall, upon conviction in the Police Court of the city, be fined in any sum not exceeding fifty dollars, or imprisoned in the City Workhouse not exceeding thirty days, or both fined and imprisoned, for each and every such offense.

No. 740. Passed October 21, 1901.

To prevent the unnecessary waste of water.

Be it ordained by the Board of Legislation of Cincinnati :

SEC. 1. That from and after the passage of this ordinance it shall be unlawful for any person or persons within the corporate limits of the city of Cincinnati to leave open any hydrant or faucet connected with the city waterworks, so as to allow the flow of water, when such water is not being used or consumed by such person or persons.

SEC. 2. Any person or persons offending against the provision of Section 1 hereof shall be guilty of a misdemeanor, and upon conviction for the first offense shall be fined in a sum not more than five dollars, and upon conviction for a second offense shall be fined in a sum not more than twenty dollars.

No. 111. Passed January 17, 1898.

To authorize Thomas A. Quill, his heirs, associates, assigns, or successors, to lay pipes in the streets of Cincinnati, and to make connections therewith for certain purposes and under the terms therein stated.

Ordinance held invalid by Court of Common Pleas, in case of W. M. Ampt *vs.* Cincinnati *et al.*, as not being authorized by law or for a public purpose; as being perpetual and exclusive; as fixing no limit of charges; and in failing to prescribe mode of construction. On appeal, held invalid by the Circuit Court in case No. 3097, for the reasons given by the court below (6 O. N. P. 401), except the one that the grant is exclusive. (See Court Index of February 9, 1901.)

No. 695. Passed August 5, 1901.

Accepting the bid of the Cincinnati Gas and Electric Company of Cincinnati, Ohio, for lighting with electric lights the streets, lands, lanes, squares, and public places of the City of Cincinnati, as provided for in the specifications under which said bid was received.*

Be it ordained by the Board of Legislation of Cincinnati:

SEC. 1. That the bid of the Cincinnati Gas and Electric Company for lighting with electric lights the streets, lands, lanes, squares, and public places of the city of Cincinnati, said bid being opened on July 19, 1901, by the committee on light of the Board of Legislation, be and the same is hereby accepted, and the contract for lighting said city in accordance with the

* Seventy-two dollars per lamp per year in the underground district, and sixty dollars per lamp per year in the overhead district. For boundaries of districts see page 127. This contract was entered into August 24, 1901.

specifications upon which said bid was received is hereby awarded to the said the Cincinnati Gas and Electric Company of Cincinnati, Ohio.

SEC. 2. The Board of Public Service is hereby authorized and directed to contract with said company in accordance with said bid, and in accordance with the specifications under which said bid was made, received, and opened, for the time and in the manner provided in said specifications.

NO. 703. Passed August 19, 1901.

To provide for the construction of a new market-house on Wade Street, between John and Cutter streets.

Whereas, Under an act of the General Assembly of the State of Ohio, passed April 25, 1898, the Board of Public Service of the city of Cincinnati has issued bonds, in the sum of fifty thousand dollars, for the purpose of raising money to construct and erect, reconstruct and re-erect market-houses in the market-spaces of said city; and

Whereas, There is a great necessity for a market-house on the site of the old Wade-street Market, between John and Cutter streets; and

Whereas, Plans and specifications for such market-house and the estimate of the cost thereof have been made, and together with this ordinance have been transmitted and recommended to this board by said Board of Public Service:

Now, therefore, be it ordained by the Board of Legislation of the city of Cincinnati:

SEC. 1. That said Board of Public Service is hereby authorized to erect said market-house as speedily as practicable.

SEC. 2. That an ordinance, No. 512, passed July 17, 1900, entitled "An ordinance to provide for the construction of a new market-house on Wade Street, between John and Cutter streets," be and the same is hereby repealed.

[NOTE.—Approximate estimate of cost \$27,000.]

No. 763. Passed December 23, 1901.

To provide for the construction of a new market-house on Wade Street, between John and Cutter streets.

Whereas, Under an act of the General Assembly of the State of Ohio, passed April 25, 1898, the Board of Public Service of the city of Cincinnati has issued bonds, in the sum of fifty thousand dollars, for the purpose of providing a fund to construct and erect, reconstruct and re-erect market-houses in the market-spaces of said city; and

Whereas, There is a great necessity for a market-house on the site of the old Wade-street Market, between John and Cutter streets; and

Whereas, Plans and specifications for such market-house and estimate of cost thereof have heretofore been approved by the Board of Public Service and Board of Legislation of the city of Cincinnati; and

Whereas, It has since appeared that the estimated cost of construction in accordance with approved plans and specifications is too low on account of increase in market value of the materials, etc.:

Therefore be it ordained by the Board of Legislation of the city of Cincinnati:

SEC. 1. That said Board of Public Service is hereby authorized to erect said market-house as speedily as possible at a cost not to exceed twenty-eight thousand dollars.

[Market on this space abandoned, and small park to be laid out there.]

No. 721. Passed September 9, 1901.

To provide for the repair and reconstruction of the market-house on Elder Street, between Race and Elm streets.

Whereas, Under an act of the General Assembly of the State of Ohio, passed April 25, 1898, the Board of Public Service of the city of Cincinnati has issued bonds, in the sum of fifty thousand dollars, for the purpose of raising money to

construct and erect, reconstruct and re-erect market-houses in the market-spaces of said city; and

Whereas, There is a great necessity for the repair and reconstruction of the market-house on Elder Street, between Race and Elm streets; and

Whereas, Plans and specifications for the repair and reconstruction of said market-house and estimate of cost thereof have been made, and together with this ordinance have been transmitted and recommended to this board by said Board of Public Service:

Now, therefore, be it ordained by the Board of Legislation of the city of Cincinnati:

SEC. 1. That said Board of Public Service is hereby authorized to repair and reconstruct said market-house as speedily as practicable.

[NOTE.—Additional appropriation of \$4,000 by Ordinance No. 936, passed September 29, 1902.]

NO. 1. Passed May 4, 1903.

Providing for officers and members of Council, and fixing their duties, compensation, and bonds.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. In addition to the officers of Council provided for by law, there shall be the following employees, whose duties, compensation, and bond shall be as follows:

One first assistant clerk, who in event of the absence of the clerk of the Council shall act as clerk, and who shall perform such duties as may, from time to time, be prescribed by the clerk of Council, whose compensation shall be two thousand dollars per annum, and who shall give bond in the sum of two thousand dollars.

One second assistant clerk, whose duties shall be to record transactions of Council as directed thereto by the clerk of Council, and whose compensation shall be fifteen hundred dollars per annum.

One stenographer and general clerk, who shall be proficient in shorthand and typewriting, whose duties shall be to take and transcribe notes under direction of members of Council and the clerk thereof, and such other duties as may be prescribed by said clerk, and whose compensation shall be one thousand dollars per annum.

One sergeant-at-arms, whose duties shall be to maintain strict order in the Council chamber during sessions of Council, and at such times to execute the orders of the president, the president pro tem., or the chairman of Council; to serve all notices of special meetings of Council and meetings of its committees. In the office of clerk he shall perform the duties of custodian of records, under direction of the clerk. It shall be his duty to take receipts for all documents that the city officers may require, and may by the clerk be allowed to use for the purpose of copying or comparison, and to cause their return to their proper places in the file boxes. It shall also be his duty to attend, as the clerk may direct, to the safe custody of all books of record in said office, to place such books before those who may have authority to examine them, and to return them to their proper places. And it shall be his duty to protect all records in the clerk's office from loss or misplacement, and to this end he shall prevent access to the vaults of the clerk's office and to other places of deposit of books and documents of all persons except those directly connected with that office. His compensation shall be eighteen hundred dollars per annum.

One assistant sergeant-at-arms, who in the absence of the sergeant-at-arms shall perform all duties of that employee, who at all other times shall assist the sergeant-at-arms in each and all of his duties as the sergeant-at-arms may direct, whose compensation shall be fifteen hundred dollars per annum.

One notice clerk, whose duty shall be to serve notices upon property-owners and others under ordinances and resolutions of Council. His compensation shall be fourteen hundred dollars per annum.

SEC. 2. The compensation of the clerk of Council shall be thirty-five hundred dollars per annum, and he shall give bond in the sum of two thousand dollars.

SEC. 3. The compensation of the members of Council shall be paid to them at the expiration of each calendar month. The auditor shall draw his warrants for such payments upon payrolls prepared by the sergeant-at-arms.

SEC. 4. The compensation of the president of Council, the clerk, and of all employees of Council shall be paid semi-monthly. The auditor shall draw his warrants for such payments upon authority of payrolls prepared and signed by the clerk of Council, and approved by the president or the president pro tem. thereof.

SEC. 5. The following named ordinances of the Common Council and Board of Legislation of the city of Cincinnati are hereby repealed: Ordinance No. 4345, passed March 5, 1890; Ordinance No. 2, passed May 1, 1891; Ordinance No. 200, passed February 5, 1892; Ordinance No. 454, passed January 13, 1893; Ordinance No. 615, passed August 18, 1893.

NO. 26. Passed June 1, 1903.

Supplementary to an ordinance entitled "An ordinance providing for officers and members of Council, and fixing their duties, compensation, and bonds," passed May 4, 1903.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. In addition to the employees provided for in the ordinance to which this is supplementary there shall be the following employees, whose duties, compensation, and bonds shall be as follows: Two notice clerks, whose duties shall be to serve notices upon property-owners and others under ordinances and resolutions of Council. Their compensation shall be nine hundred dollars per year. They shall each give bond in the sum of two thousand dollars.

NO. 2. Passed May 4, 1903.

To provide for the organization of the city solicitor's office.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. The city solicitor shall have power to appoint annually the following subordinates: A first assistant, at a salary of \$3,500 per annum; a second assistant, at a salary of \$3,000 per annum; a third assistant, at a salary of \$2,400 per annum; a fourth assistant, at a salary of \$2,000 per annum; a title examiner, at a salary of \$1,600 per annum; a chief clerk, at a salary of \$1,200 per annum; a stenographer, at a salary of \$900 per annum; a clerk, at a salary of \$600 per annum. Said salaries shall include all services rendered by said subordinates as notary public in city cases. The salaries of said subordinates shall be payable semi-monthly.

SEC. 2. There shall also be an additional assistant appointed in the same manner and for the same time as provided in Section 1, whom the solicitor may designate to act as prosecuting attorney of the police court, and who as such shall receive such compensation, payable at such times and manner, as now or hereafter provided for the prosecuting attorney of the Police Court.

SEC. 3. Each assistant shall give bond in the sum of five thousand dollars.

SEC. 4. The city solicitor shall perform all the duties heretofore required by law or ordinance of the corporation counsel, and shall in all respects be the successor of the corporation counsel.

SEC. 5. In the absence or disability of the city solicitor, or in case of a vacancy in said office, said assistant provided in Section 1 shall perform the duties of the city solicitor until other provision is made therefor by Council.

SEC. 6. The office of the city solicitor shall be open from 9 A. M. to 4 P. M., Sundays and holidays excepted, and the solicitor or one of his assistants provided for in Section 1 shall be present at all meetings of the Council, and when notified

so to do, in writing, shall be present at meetings of any of its committees.

SEC. 7. An ordinance entitled "An ordinance to provide for the organization of the corporation counsel's office," passed July 2, 1900, is hereby repealed.

NO. 3. Passed May 4, 1903.

To provide for a supervising engineer's department, and to regulate the emission of smoke, and to prevent injury and annoyance therefrom.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That to regulate and compel the consumption of smoke and prevent injury and annoyance from the same within the corporate limits of the city of Cincinnati, there be and hereby is created the supervising engineer's department, with the following officers: One supervising engineer and one stenographer.

SEC. 2. The supervising engineer shall hold his office for the term of two years from and after the date of his appointment, and until his successor is appointed and qualified, and he shall have authority to supervise and require all steam-boiler furnaces in such city to be constructed, or, if already constructed, to be so altered or have attached thereto such efficient smoke preventives as to prevent the production and emission of smoke therefrom, so far as the same is possible; and he shall further have authority to supervise the igniting, making, stoking, feeding, and attending such steam-boiler furnace fires; and he shall also have authority, in the performance of the duties of his office, to enter any steam-boiler or engine-room, or any building not occupied exclusively as a private residence, for the purpose of carrying out any of the provisions of this ordinance.

SEC. 3. That the emission into the open air of smoke from any smoke-stack, chimney, or other part of any boat, locomotive, stationary engine, furnace, boiler, manufactory, hotel, apartment-house, building, establishment, place, or premises

anywhere within the city of Cincinnati in such quantity or manner as to cause injury, annoyance, inconvenience, or damage to the inhabitants of said city of Cincinnati, or to their property, health, or physical comfort, shall be deemed and the same hereby is declared to be a public nuisance.

SEC. 4. Every person, firm, association, or corporation who, as owner, lessee, agent, occupant, or tenant of any such boat, locomotive, stationary engine, furnace, boiler, manufactory, hotel, apartment-house, building, establishment, place, or premises, and every manager, officer, director, partner, engineer, fireman, or employee of such person, firm, association, or corporation who shall create or cause the nuisance set forth in Section 3 of this ordinance, or who shall permit or suffer the same to exist, or who shall interfere with the discharge of the duties of the said supervising engineer as herein set forth, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five dollars nor more than ten dollars for the first offense, and for each subsequent offense not less than ten dollars nor more than fifty dollars.

SEC. 5. It shall be the duty of the supervising engineer to cause the enforcement of this ordinance, and to make complaint against and cause to be prosecuted all persons violating the same; and in so doing he shall be assisted by the chief of police and the health officer and their respective departments.

SEC. 6. It shall be the duty of the mayor to notify, in writing, any such person, firm, association, or corporation creating or causing any such nuisance, or permitting or suffering the same to exist, to at once abate the nuisance, and in case said nuisance shall not be abated within thirty days after the service of said notice the mayor, acting through the police force or other proper executive officers, may at once cause the same to be abated.

SEC. 8. The term of office of the stenographer shall be for one year from the date of appointment.

SEC. 9. The salaries for the department of the supervising engineer shall be as follows: The supervising engineer to receive an annual salary of three thousand dollars; the stenographer for the supervising engineer's department to receive an annual salary of six hundred dollars. The above salaries to be paid semi-monthly.

SEC. 10. The supervising engineer shall give bond in the sum of five thousand dollars.

SEC. 11. All ordinances and parts of ordinances heretofore passed in regard to the supervising engineer or his department are hereby repealed.

NO. 4. Passed May 4, 1903.

To provide for the organization of the mayor's office.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the mayor be and he is hereby authorized to appoint a secretary, at a salary of fifteen hundred dollars per annum; a clerk, at a salary of fifteen hundred dollars per annum; an assistant clerk, who shall also be a stenographer, at a salary of twelve hundred dollars per annum; and a messenger, at a salary of seven hundred and twenty dollars per annum. Said salaries shall be payable in semi-monthly installments, and said appointees, under the direction of the mayor, shall perform such duties relating to the mayor's office as shall, from time to time, be assigned to each respectively, and said appointees shall be subject to removal by the mayor at any time.

SEC. 2. It shall be unlawful for the mayor to assign any member of the police force, or for the mayor to permit any such member to be stationed in the mayor's office, for the purpose of assisting in the performance of any of the civil duties pertaining to said office.

SEC. 3. An ordinance entitled "An ordinance to provide for the organization of the mayor's office," passed May 5, 1902, is hereby repealed.

NO. 5. Passed May 4, 1903.

To establish a Board of Health and to regulate its duties.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. There shall be a Board of Health, composed of five members, to be appointed by the mayor and confirmed by Council, who shall serve without compensation, and the mayor shall be president of such board by virtue of his office.

SEC. 2. The term of office of the members of the board shall be five years from the date of appointment and until their successors are appointed and qualified, except that those first appointed shall be classified as follows: One to serve for five years, one for four years, one for three years, one for two years, and one for one year, and thereafter one shall be appointed annually.

SEC. 3. Such board shall have, in addition to the powers and duties conferred or required by law, such powers and perform such duties as may have been prescribed by ordinances heretofore passed, provided always that such ordinances are not inconsistent with law.

[Under this ordinance the mayor on May 11, 1903, appoints the members of the Board of Public Service to be the health board.]

NO. 8. Passed May 4, 1903.

To provide for the organization of the Board of Trustees of the Sinking Fund of the City of Cincinnati.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. Each trustee of the Sinking Fund shall give bond in the sum of one hundred thousand dollars.

SEC. 2. Said board is hereby authorized to elect a secretary, who shall act as clerk, an assistant secretary, and a stenographer. The salary of said secretary shall be thirty-five hundred dollars per annum, that of the assistant secretary eighteen hundred dollars per annum, and that of the stenographer five hundred and forty dollars per annum. Said salaries shall be paid monthly. The secretary and assistant secretary

shall each give bond in the sum of fifty thousand dollars. In the absence or disability of the secretary the assistant secretary shall perform all the duties and exercise all the powers of the secretary. Except, as prescribed by law or ordinance, the secretary, assistant secretary, and stenographer shall perform such duties as the board, as sinking-fund trustees or tax commissioners, may prescribe.

NO. 15. Passed May 11, 1903.

To supplement an ordinance entitled "An ordinance to provide for the organization of the Board of Trustees of the Sinking Fund of the City of Cincinnati," passed May 4, 1903.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That the secretary of the Trustees of the Sinking Fund shall attend all meetings of the board and keep an accurate and faithful record of its proceedings and transactions. He shall enter all financial transactions in proper books of account in such manner and system as shall be prescribed by said board, and shall keep such other records and books as may be required by law or ordinance, or by said trustees.

SEC. 2. Said secretary shall be the custodian of the records of said board, and shall be responsible for all the records, books, documents, and securities in said department for all invested sinking-fund bonds, matured and canceled bonds until their destruction, and of such moneys as may be paid to the board until their deposit with the depository designated by said board.

SEC. 3. Said secretary shall collect and receipt for all moneys due the said trustees, and receipt to their fiscal agent for all bonds and coupons matured, paid, and canceled. All payments by the various departments of the city to the Trustees of the Sinking Fund shall be made by check payable to the order of said trustees.

SEC. 4. All bonds of the city of Cincinnati which have been fully paid, and all bonds and coupons exchanged for registered bonds, shall be destroyed by the Trustees of the

Sinking Fund in the presence of not less than three of such trustees, who shall at the time sign a certificate containing a description of the bonds and coupons so destroyed, and such certificate shall be preserved in such manner as said board of trustees shall prescribe.

SEC. 5. The issue of registered bonds in lieu of coupon bonds heretofore or hereafter issued by the city of Cincinnati shall be made by the Trustees of the Sinking Fund upon surrender of the bonds and coupons thereof so to be exchanged to such bank in the city of Cincinnati as said trustees shall select as their fiscal agent and designated depository.

SEC. 6. The registered bonds so issued shall be signed by the mayor and president of the Trustees of the Sinking Fund, and shall be attested by the city auditor and the secretary of said trustees, and shall have affixed thereto the seal of the corporation.

SEC. 7. The Trustees of the Sinking Fund shall keep books in which shall be entered the date, number, series, denomination, and payee of such registered bonds. The interest thereon when due shall be paid by check of the said trustees to the order of the payee thereof, as shown by the said register.

SEC. 8. Registered bonds may be transferred in the office of the Trustees of the Sinking Fund, upon the books of record of registration, upon surrender and cancellation of such bonds signed by the payee thereof or his duly authorized attorney or representative.

NO. 9. Passed May 11, 1903.

To provide a license on trades, business, and professions carried on within the city limits, and providing for the enforcement and collection of fines and penalties for carrying on business without a license and for other purposes.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. No person shall be engaged in any trade, business, or profession hereinafter mentioned until he or she shall have obtained a license therefor, as hereinafter provided.

SEC. 2. Any person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one thousand dollars nor less than fifty dollars, or by imprisonment for not more than six months, or by both.

SEC. 3. No license granted or issued under any of the provisions of this ordinance shall be in any manner assignable or transferable, or shall authorize any person other than is therein mentioned or named to do business, or shall authorize any other business than is therein mentioned or named to be done or transacted, or the business therein named or mentioned to be done or transacted at any place other than is therein mentioned or named, without permission from the city auditor indorsed thereon. The city auditor shall at the time of granting such permission immediately record such change or transfer upon the proper registry. A license for any business conducted at any particular or fixed locality shall authorize the transaction of such business by an individual, a firm, or a corporation. Every such license shall specify by name the person, firm, or corporation to whom or which it shall be issued, and shall designate the particular place at which the business shall be carried on.

SEC. 4. All licenses heretofore issued by the auditor or other duly authorized officer, and now unexpired, shall be valid until the time for which they were granted shall expire.

SEC. 5. In all cases where the amount of license to be paid by any person, firm, or corporation is based upon or regulated by the amount of sales effected or business transacted, such person, firm, or corporation shall render a sworn statement to the auditor of the total amount of sales made or business done by them, respectively, during the six months preceding the application for a license, which statement shall determine the amount for which such license shall be issued.

SEC. 6. Upon the trial of any criminal action brought under or arising from any provision or provisions of this ordinance, the fact that the party thereto represented himself

or herself as engaged in any business or occupation for the transaction of which a license is by this ordinance required, or that such party exhibited a sign indicating such business or calling, shall be conclusive evidence of the liability of such party to pay a license.

SEC. 7. Every person having a license under the provisions of this ordinance shall exhibit the same, at all times while in force, in some conspicuous part of his or her place of business, and shall produce the same when applying for a renewal, or when requested to produce it by any municipal officer or by any member of the police department. Every peddler while engaged in peddling shall carry his or her license, and shall exhibit the same if requested by any municipal officer.

SEC. 8. All licenses, excepting to places of amusement, entertainment, performances, or exhibitions, shall date from the first day of January or July preceding the date of their issue, and shall be issued for one year from either of the aforesaid dates. All licenses for theaters, concert-halls, places of amusement, entertainments, performances, or exhibitions may be issued for the period of one year or for any shorter time.

SEC. 9. All licenses which shall become due on the first day of January or July shall be considered delinquent if not paid within fifteen days thereafter, or for every month or fraction of a month a license shall remain delinquent after the fifteen days allowed from the first day of January or July, as aforesaid, there shall be added to the whole amount of such license a penalty of two per cent, which shall be collected in the same manner as the license. But the addition, if any, of a penalty to a license shall not exempt a person from whom said license may be collectible from any penalty to which he or she may be liable for violating any of the provisions of this ordinance.

SEC. 10. If at any time it shall be made to appear to the satisfaction of the auditor that any licensed person has violated any of the provisions of this ordinance, then the said

auditor shall revoke his or her license, and such licensed person shall cease to have any authority thereunder.

SEC. 11. In all cases where the rates of license depend upon the receipts or profits of the business, or upon the amount of business done, or upon the number of vehicles used, or upon any other matter peculiarly within the knowledge of the applicant for the license, such applicant may be examined in regard to such matters, and may be required to subscribe to a sworn statement or affidavit that he has, to the best of his knowledge and belief, truly answered all questions touching the amount of license for which he or she applies or is liable. And if any person applying for license shall make any false statements in regard to his or her business, with intent thereby to procure a license at less rates than those provided in this ordinance, he or she shall be deemed guilty of misdemeanor, and upon conviction thereof shall be punished as provided in Section 2 of this ordinance, and may be adjudged also to forfeit his license.

SEC. 12. The conviction and punishment of any person for transacting any business without a license shall not excuse or exempt such person from the payment of any license due or unpaid at the time of such conviction.

SEC. 13. Keepers of public dance-houses or ball-rooms shall pay a license fee of three hundred dollars per annum, or ten dollars per night; provided, however, that no license shall be issued without the consent of the mayor.

SEC. 14. Every person, company, or corporation who shall empty, clean, or remove the contents of any privy vault, or in any manner engage in the business of scavenger, shall pay a license fee of twenty-five dollars per annum.

SEC. 15. Each keeper of an intelligence office or employment office shall pay a license of fifty dollars per annum; provided, however, that no license shall be issued without the consent of the mayor.

SEC. 16. Each keeper of a pawnbroker's or loan office shall pay a license fee of two hundred and fifty dollars per annum.

SEC. 17. Each proprietor of a billiard- or pool-table shall pay a license of twenty-five dollars for one such table and fifteen dollars for each additional table per annum.

SEC. 18. Each proprietor of a bowling-alley shall pay a license fee of twenty-five dollars for one alley and fifteen dollars for each additional alley per annum.

SEC. 19. Peddlers or hawkers of produce or goods from vehicles drawn by animal power shall pay a license fee of twenty-five dollars per annum, and those selling goods from vehicles drawn by hand or carried by one or more persons shall pay a license fee of five dollars per annum. Peddlers or hawkers of meat, fish, game, poultry, oysters, vegetables, fruit, candies, groceries, produce, and dairy products from stands shall pay a license fee of fifteen dollars per annum. Provided that any person selling agricultural produce of his own raising shall not be liable for license for selling, hawking, or peddling the same in any mode or manner in the markets, public streets, or alleys of said city.

SEC. 20. Itinerant venders of medicines shall pay a license fee of fifty dollars per annum.

SEC. 21. For each circus or menagerie the owner thereof shall pay license fees as follows: For the first day one hundred dollars; for each succeeding day seventy-five dollars. For each side-show, concert, musical or minstrel entertainment, or exhibition of monsters or freaks of nature, twenty-five dollars for the first day, and fifteen dollars for each additional day; provided, however, that no license shall be issued without the consent of the mayor.

SEC. 22. No connection shall be made with any sewer or drain without the payment of a license fee of five dollars, and an agreement, in writing, of the person applying therefor that he will indemnify and save harmless the city from all loss or damage that may be occasioned in any wise by accident or the want of care or skill on his part in the prosecution of such work, or that may be occasioned by reason of any opening by him made or caused to be made in any street, lane, avenue,

market-place, or common in the making of any connection with any public or private sewer as aforesaid; and further that he will promptly at the proper time replace and restore the street over such opening to as good condition as he found it previous to opening the same; provided that no license shall be issued, except by the consent of the Board of Public Service.

SEC. 23. Every proprietor or lessee of any theater, concert-hall, or any place of amusement, entertainment, or exhibition shall pay license according to their seating capacity—one seat is twenty inches—as follows: 1. Those seating nine hundred and seventy-five persons or more shall pay a license, if issued for one year, of three hundred dollars; if for three months, one hundred dollars; if for one month, fifty dollars; if for one day, five dollars. 2. Those seating less than nine hundred and seventy-five persons shall pay a license, if issued for one year, of two hundred dollars; if for three months, seventy-five dollars; if for one month, forty dollars; if for one day, five dollars. Provided, however, that no license shall be issued without the consent of the mayor.

SEC. 24. All venders of gunpowder shall pay a license fee of fifteen dollars per annum. All keepers or owners of gunpowder magazines shall pay a license fee of one hundred dollars per annum.

SEC. 25. All keepers of shooting-galleries shall pay a license fee of thirty dollars per annum, exclusive of the license fee for gunpowder.

SEC. 26. All keepers or owners of livery, sale, or boarding stables shall pay licenses as follows: For those whose gross receipts for the hiring, boarding, and sale of horses and carriages amount to more than fifteen thousand dollars per annum, twenty-five dollars per annum; for those whose gross receipts amount to less than fifteen thousand dollars per annum, fifteen dollars per annum.

SEC. 27. Keepers of dancing- and riding-academies or schools whose gross receipts are less than six thousand dollars

per annum shall pay a license fee of fifty dollars per annum, and those whose gross receipts are more than six thousand dollars per annum shall pay a license fee of seventy-five dollars per annum.

SEC. 28. Each applicant for the use of streets or other spaces belonging to the city, for the purpose of depositing building material thereon, shall pay license fees for each permit as follows: For the use of twenty feet or less, one dollar; for the use of more than twenty and less than forty feet, two dollars; for the use of more than forty feet and less than seventy-five feet, four dollars; for the use of more than seventy-five feet and less than one hundred feet, five dollars; for one hundred feet or over, ten dollars. Provided that no license shall be issued except by the consent of the Board of Public Service.

SEC. 29. Keepers of race-courses and ball-grounds, and persons engaged in public exhibitions therein, shall pay a license fee as follows: For each exhibition not continuing for more than one day, and for each day of any exhibition, five dollars; provided that the keeper of any race-course or ball-ground, by payment of one hundred dollars, may procure therefor a license for the period of six months or any portion thereof, which license shall exempt from further license all persons engaged in any exhibition at or upon such race-course or ball-ground; but no such license shall be granted unless applied for and paid for at least six hours previous to the opening of the exhibition intended to be included within the license.

SEC. 30. Street musicians shall pay a license of twenty-five dollars per annum for each instrument used, but no license shall be issued except by consent of the mayor.

SEC. 31. Billposters, advertising-sign painters, advertising-sign proprietors, and street-car advertisers shall pay a license of twenty-five dollars per annum.

SEC. 32. Every dealer in second-hand articles and keepers of junkshops shall pay a license of fifty dollars per annum.

SEC. 33. Auctioneers shall pay license as follows: 1. Those whose sales amount to one million dollars and over per annum, seven hundred and fifty dollars per annum; 2. Those whose sales amount to six hundred thousand dollars and less than one million dollars per annum, five hundred dollars per annum; 3. Those whose sales amount to three hundred thousand dollars and less than six hundred thousand dollars per annum, two hundred and fifty dollars per annum; 4. Those whose sales amount to one hundred and fifty thousand dollars and less than three hundred thousand dollars per annum, one hundred dollars per annum; 5. Those whose sales amount to seventy-five thousand dollars and less than one hundred and fifty thousand dollars per annum, fifty dollars per annum; 6. Those whose sales amount to less than seventy-five thousand dollars per annum, twenty-five dollars per annum.

SEC. 34. Any person or persons, whether as principals or agents, carrying on or engaged in the business of trafficking for profit in tickets of admission to any theater, opera-house, music-hall, or other place of entertainment, amusement, or instruction to which tickets of admission are offered for sale to the general public, shall be required to pay a license fee of one thousand dollars, the said license to be given for the term of one year from its issue, and to be issued by the auditor of the city; but the trafficking in tickets for public-school entertainments, lecture courses, and lectures on historic, literary, or scientific subjects shall not come within the provisions of this section; and the provisions of this section shall not apply to any sale or transfer of tickets of admission to any theater, opera-house, music-hall, or other place of entertainment, amusement, or instruction when no greater price is asked or received therefor than that for which such tickets were sold or offered for sale by the persons or corporation issuing such tickets.

SEC. 35. Every keeper, owner, or exhibitor of a penny-in-the-slot machine shall pay a license fee of one dollar per annum for each of such machines.

SEC. 36. Every person or corporation engaged in carrying on the business commonly known as a chattel-mortgage broker or loaning money, and to secure the payment of same taking a chattel mortgage or other security of like nature on household goods, shall pay a license fee of two hundred and fifty dollars per annum. Any person engaged in or carrying on the business of loaning money on chattel mortgage or household goods shall keep a true record of all such loans, showing the amount loaned and amount paid as interest or other charges thereon, which record shall at all times be open for inspection to any person interested therein.

SEC. 37. Every person or corporation engaged in carrying on the business commonly known as a salary-loan broker or loaning money, to secure the payment of same taking an assignment of or order for the salary due or to become due the borrower, shall pay a license fee of two hundred and fifty dollars per annum. Any person engaged in or carrying on the business of loaning money on salaries shall keep a true record of all such loans, showing the amount loaned and the amount paid as interest or other charges thereon, which record shall at all times be open for inspection to any person interested therein.

SEC. 38. Owners or keepers of flying-Americans, flying-Dutchmen, merry-go-rounds, or carousals shall pay a license fee of twenty-five dollars per annum for each of the same.

SEC. 39. All moneys received for licenses issued under this ordinance shall be placed to the credit of the general fund.

SEC. 40. It shall be the duty of the auditor or his deputies, in connection with the mayor and the police, to enforce the payment of licenses, to examine places of business and persons liable to pay licenses, and to see that such licenses are taken out, and that no other business than that described in the license is carried on or transacted by the party and at the place named in the license.

SEC. 41. Every person engaged in any trade, occupation, or profession for which a license is imposed by this ordinance shall at the time of procuring the same make application to the auditor, and shall state under oath or affirmation such facts as may be applicable to said license. The auditor shall then issue to the applicant a certificate stating the particular kind of license for which application has been made, and the amount of money required by law to be paid therefor. Said certificate shall be delivered to the city treasurer, who shall upon receipt of the sum of money stated therein give a certificate of payment, stating the amount of money paid. Said certificate of payment shall be presented to the auditor, who thereupon shall issue said license.

SEC. 42. The auditor shall sign, issue, and keep a record of licenses in books to be prepared for that purpose, as follows: 1. A book to be designated as "License Cash Book," in which entries shall be made under appropriate headings, showing the receipts each day, the names of parties receiving license, their residence or place of business, the number and class of license issued, the amount received for each license, and the period of time for which each license is issued, with reference to the number and page of the ledger (hereinafter provided for) wherein the same is entered. 2. A book to be designated as "License Ledger," in which entries of all moneys received for licenses shall be posted from the cash book. In said ledger shall be entered, in alphabetical order, under appropriate headings, the names of parties to whom licenses have been issued, their residence or place of business, the period for which licenses have been issued, amount received for each license, and the date of payment. 3. He shall also keep such other book or books as shall, in his judgment, be necessary, and all the books hereinbefore provided to be kept shall have such additional entries made in them, respectively, as may be required.

SEC. 43. It shall be the duty of all police, or other officers

clothed with police powers, to enforce the provisions of this ordinance.

SEC. 44. All ordinances and parts of ordinances conflicting with any of the provisions of this ordinance be and the same are hereby repealed.

[Certain portions of this ordinance are invalidated by decision of Judge Hollister, C. P. C. No. 126,285, *The City of Cincinnati*, by Chas. J. Hunt, City Solicitor *vs.* *The City of Cincinnati*, by W. T. Perkins, Auditor. These sections are 8, 11, 13, 15, 16, 17, 18, 26, 27, 29, 30, 32, 35, 36, 37. Also the following words in Section 14, "or in any manner engaged in the business of scavenger." "It is not in the power of Council to prescribe rules of evidence, as attempted in Section 6." "There seems to be no authority for Section 11." "The demurrer admits the truth of the allegation that Section 42 contemplates the expenditure of more money than is necessary for the purposes of the ordinance; hence that section is invalid." Demurrer overruled.]

No. 18. Passed May 18, 1903.

Providing for the officers, surgeons, secretaries, clerks, and employees of the Board of Public Safety.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. In the Department of Public Safety there is hereby authorized the following officers, surgeons, secretaries, clerks, and employees, who shall be under the exclusive management and control of said board. The salaries hereinafter provided shall be paid semi-monthly.

1. A secretary of said board, who shall also be chief clerk, at a salary of twenty-five hundred dollars per year, and who shall give bond in the sum of five thousand dollars.

2. A clerk of the fire department, at a salary of fifteen hundred dollars per year, who shall give bond in the sum of twenty thousand dollars.

3. An assistant clerk of the fire department, at a salary of one thousand dollars per year, who shall give bond in the sum of two thousand dollars.

4. A clerk of the police department, at a salary of two thousand dollars per year, who shall give bond in the sum of five thousand dollars.

5. Seven assistant clerks for the police department, one of whom shall receive a salary of seventeen hundred dollars per year; one a salary of sixteen hundred dollars per year; one a salary of fifteen hundred dollars per year; and four a salary of thirteen hundred dollars each per year; all of said assistant clerks shall give bond in the sum of two thousand dollars.

6. Two stenographers, one of whom shall also act as recorder for the clerk of the board and clerk of the police department, and who shall receive a salary of seven hundred and eighty dollars per year. The other shall also act as stenographer to the chief of police, and shall receive a salary of seven hundred and eighty dollars per year.

7. One chief surgeon, who shall receive a salary of two thousand dollars per year; and two assistant surgeons, who shall each receive a salary of fifteen hundred dollars per year.

8. One veterinary surgeon, who shall receive a salary of one thousand dollars per year.

9. One janitor for the fire department, who shall receive a salary of three hundred dollars per year.

10. Forty-seven watchmen for the fire department, who shall each receive a salary of one hundred and twenty dollars per year.

11. Two hostlers for the fire department, who shall each receive a salary of seven hundred and twenty dollars per year.

NO. 52. Passed June 22, 1903.

Providing for the sale of certain personal property by the Board of Public Safety.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. When the Board of Public Safety has within its control any personal property not needed for municipal purposes, and the estimated value of which is less than five hundred dollars, after an estimate of the value thereof has

been made and approved by said board, said property may be sold in such manner as said board may direct.

SEC. 2. The money arising from the sale of said personal property, or from any use of the property within the control of said board, shall be paid into the treasury to the credit of the particular fund by which said property was acquired, if there be such fund; if not, to the credit of the General Fund.

NO. 23. Passed May 25, 1903.

Repealing an ordinance entitled "An ordinance to provide for the better regulation of proceedings to authorize public improvements," passed February 6, 1874.*

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. An ordinance entitled "An ordinance to provide for the better regulation of proceedings to authorize public improvements," passed February 6, 1874, is hereby repealed.

NO. 35. Passed June 8, 1903.

Providing for the construction of sidewalks under resolutions of Council.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. The Board of Public Service is hereby authorized to make contracts for periods not exceeding one year for the construction and repair of all sidewalks provided for in resolutions to be passed by Council and necessary to be constructed or repaired by the Board of Public Service, in accordance with specifications for sidewalks on file in the office of the Board of Public Service and hereby approved.

*See Coppock & Hertenstein.

NO. 40. Passed June 12, 1903.

To provide against playing or use of slot machines by minors, and fixing penalties in that connection.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. It shall be unlawful in the city of Cincinnati for any minor of either sex to play, use, or deposit money in any slot machine or any gambling device, whether the reward or gain which may be obtained thereby is in the shape of money, cigars, cigarettes, drinks, or any other commodity, or checks exchangeable therefor, and it shall be the duty of the police to arrest all such minors violating this ordinance as aforesaid, and on conviction thereof any such minor shall be fined not more than ten dollars and not less than five dollars and the costs of prosecution.

SEC. 2. It shall be unlawful for any owner of a slot machine or any gambling device referred to in the foregoing section, or any person having the custody thereof, either as agent or lessee, or the officer, agent, or employee of either, to permit any minor to play, use, or deposit money in any such slot machine or any gambling device referred to in the foregoing section, or to deliver to any such minor the gain or reward thereof, in either money, cigars, cigarettes, drinks, or other commodity, or checks therefor. The penalty for the violation of any of the provisions of this section shall be a fine of not more than one hundred dollars nor less than ten dollars; and in the event that any person shall have been theretofore convicted of a violation hereof the penalty shall be a fine of not more than two hundred dollars and not less than twenty-five dollars, and in either event the costs of the prosecution.

NO. 72. Passed July 20, 1903.

To provide for the cutting and removal of offensive, unwholesome, and noxious weeds in the City of Cincinnati.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the owner or owners, occupant or occupants, or any person, firm, or corporation having the care of any

vacant lot of land bordering on any street, square, or public place within the city limits, shall cut down and remove, or cause to be cut down and removed, from such lot all offensive, unwholesome, and noxious weeds, vines, and grass.

SEC. 2. Upon complaint the chief of police shall serve written notice upon the owner or owners, occupant or occupants, or any person, firm, or corporation having the care of any such lot, to remove or cause to be removed therefrom all such offensive, unwholesome, and noxious weeds, vines, and grass.

SEC. 3. Any such owner or owners, occupant or occupants, or any person, firm, or corporation having the care of any such lot, who fails to comply with said notice within ten days from the receipt thereof shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in the sum of not less than five dollars nor more than twenty-five dollars.

NO. 264. Passed January 4, 1904.

Providing for the relief of members of the fire and police departments temporarily disabled in the discharge of their duties.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. Members of the police and fire departments, when temporarily disabled while assuming, undertaking, or performing extraordinary risks in consequence of and while in the actual performance of official duty, may at the discretion of the Board of Public Safety, and under such rules as may be adopted by said board, draw all or such part of their regular salary, and for such time as may be determined by the Board of Public Safety, but not exceeding such temporary disability.

NO. 274. Passed January 18, 1904.

An ordinance to annex territory herein described to the Thirteenth Ward of the City of Cincinnati.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the following described recently annexed territory be and the same is hereby made a part of the Thir-

teenth Ward of the city of Cincinnati: "Beginning at a point where the north corporation line of Evanston intersects the east corporation line of the city of Cincinnati, north of Langdon Avenue; thence east along the north corporation line of Evanston to the west corporation line of Norwood; thence northwardly, following the west corporation line of Norwood, to a point where said line extends westwardly to the Reading Road; thence west with the south line of said extension of the corporation line of Norwood to the Reading Road; thence northeastwardly along the corporation line of Norwood, following the line of Reading Road, to a point where the corporation line extends eastwardly from the Reading Road; thence eastwardly with said corporation to a point where the said corporation line extends northwardly; thence northwardly, eastwardly, and northwardly, following the west corporation line of Norwood, to the north line of Section 4, Millcreek Township; thence west along the south line of Section 4, Millcreek Township, to the east corporation line of Bond Hill, being the west line of Reading Road; thence southwestwardly with the west line of Reading Road, being along the southeast corporation of the village of Bond Hill, to the north corporation line of the city of Cincinnati; thence southeastwardly along the corporation line of the city of Cincinnati to the southeasterly side of Reading Road; thence southwest along the southeast line of Reading Road to the south line of Hopkins Avenue; thence east along the south line of Hopkins Avenue to the east corporation line of the city; thence south along the east corporation line of the city to a point where the north corporation line of Evanston intersects the east corporation line of the city of Cincinnati, north of Langdon Avenue, to the place of beginning."

No. 281. Passed January 25, 1904.

Granting right to the Windisch-Muhlhauser Brewing Company to erect electric wires.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That right is hereby granted to the Windisch-Muhlhauser Brewing Company to erect and maintain two wires for transmission of electricity for power and light from one of their buildings at the southwest corner of Plum and Wade streets to another of their buildings on the east side of Plum Street, between Wade and Liberty streets, the electricity thus transmitted to be generated and used only by said company thus granted this right. If used by any person or company other than the company granted this right, then this ordinance shall become null and void.

SEC. 2. This grant shall be for a term of ten years, and subject, so far as applicable, to the provisions and conditions of the general Ordinance No. 4285.

No. 283. Passed January 25, 1904.

Regulating the price to be charged for electricity furnished by the Cincinnati Gas and Electric Company to public buildings and citizens.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That for the period of ten years from and after the passage of this ordinance, and the acceptance thereof by the Cincinnati Gas and Electric Company of Cincinnati, Ohio, said company may charge for electricity furnished to public buildings and to the citizens or private consumers of said city of Cincinnati eleven cents per kilowatt; and the said the Cincinnati Gas and Electric Company shall in no event during said term of ten years charge more for electricity furnished to public buildings or individuals than the price herein specified.

SEC. 2. That said company may, as a maintenance charge, when less than ten kilowatts of current is consumed in any one month, for each and every kilowatt connected for any consumer charge and collect the sum of one dollar.

SEC. 3. A violation of this ordinance shall be a misdemeanor, and said company or any officer or employee thereof, upon conviction thereof, shall be fined in a sum not to exceed one hundred dollars.

[NOTE.—Accepted by the Cincinnati Gas and Electric Company March 1, 1904.]

No. 286. Passed February 1, 1904.

To amend Section 5 of an ordinance passed May 11, 1903, entitled "An ordinance to supplement an ordinance entitled 'An ordinance to provide for the organization of the Board of Trustees of the Sinking Fund of the City of Cincinnati.'"

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. Section 5 of an ordinance passed May 11, 1903, entitled "An ordinance to supplement an ordinance entitled 'An ordinance to provide for the organization of the Board of Trustees of the Sinking Fund of the city of Cincinnati,'" be and the same is hereby amended so as to read as follows:

SEC. 5. The issue of registered bonds in lieu of coupon bonds heretofore or hereafter issued by the city of Cincinnati, or by any village which has been or may be annexed to the city, shall be made by the Trustees of the Sinking Fund upon surrender of the bonds and coupons thereof so to be exchanged to such bank in the city of Cincinnati as said trustees shall select as their fiscal agent and designated depository.

SEC. 2. Section 5 of said ordinance described in the preceding section is hereby repealed.

No. 295. Passed February 8, 1904.

Granting to the firm of Rheinstrom, Bettman, Johnson & Co. the right to construct and maintain a pipe for the transmission of distilled water from their main building located on the west side of Cheapside Street to their warehouse on the east side of Cheapside Street, between Ninth and Court streets, in the City of Cincinnati, Ohio.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the firm of Rheinstrom, Bettman, Johnson & Co. be and they are hereby granted the right to construct, have, maintain, and use for the transmission of distilled water

between the rear part of their main building on the west side of Cheapside Street, between Ninth and Court streets, and the rear part of their warehouse on the east side of Cheapside Street, between Ninth and Court streets, a copper pipe one hundred and seventy feet in length, measuring two and one half inches in diameter, flanged together with cast-iron flanges, securely bolted, and supported by a galvanized wire cable three fourths of an inch in diameter, secured by suitable anchors to the rear part of the buildings aforesaid. The clearance underneath the copper pipe to street line at the point at the main building on the west side of Cheapside Street shall be thirty-five feet; the clearance of the pipe at the point at the warehouse on the east side of Cheapside Street shall be thirty-one feet. Said pipe and cable, with all attachments thereto, are to be constructed in a good workmanlike manner, and are to be maintained at all times in good and perfect condition, and so as not to interfere with the use of Cheapside Street for vehicular or passenger travel.

SEC. 2. This grant with the rights hereby granted shall continue for ten years from the date of the passage of this ordinance.

No. 296. Passed February 8, 1904.

Authorizing the Queen - City Box Company to lay a railroad track from the west side of the property of the City of Cincinnati, lying on the north side of Wade Street and the west side of McLean Avenue, along Wade Street to Horne Street.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That permission be and the same is hereby granted to the Queen-City Box Company to lay a railroad track of standard gauge from the west side of the property of the city of Cincinnati, lying on the north side of Wade Street and the west side of McLean Avenue, on Wade Street westwardly to Horne Street, subject to the following terms and conditions:

First—Said tracks shall conform to the grade of the street, and said company shall immediately after laying the track restore the street where disturbed by said company to its

present condition ; shall keep that portion of the street lying between the rails of the track and one foot outside each of the rails thereof in good repair, and maintain all necessary crossings of said track ; and if said company shall remove said track from said street it shall restore said street.

Second—Said company shall lay said track in such manner that wagons and other vehicles may conveniently cross the same, and in case of any change of grade in said street where such tracks are laid said company shall immediately relay the tracks to conform to the grade as changed at its own expense.

Third—Said company shall execute a bond to the city of Cincinnati, in the sum of two thousand dollars, to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of the laying and use of said tracks on Wade Street, and for the faithful compliance with all and singular the provisions of this ordinance.

Fourth—That said company shall not be allowed to obstruct Wade Street at the crossings and intersections of other streets with cars on said track more than three minutes at any one time.

Fifth—That said track shall be laid under the direction and supervision of the Board of Public Service of the city of Cincinnati.

Sixth—Said track, together with its use, operation, and the right of the city to remove the same, shall be subject to all the terms and conditions of ordinances which the city of Cincinnati has or may adopt regulating the laying, maintenance, and use of switch-tracks in the streets of the city.

SEC. 2. Material to be used in the laying of this track and the method of construction to be the same as has already been provided for the building of sidetracks that have been passed during the present term of this Council, and the conditions such as exist in Ordinance No. 120. And be it further provided that there shall be placed and maintained between the rails

thereof, and to within two and one half inches thereof on either side, a planking of oak plank, securely spiked to the crossties; said planking to be the same thickness as the depth of the rail, so that the surface of the plank shall be flush with the top of the rail. An oak planking not less than four inches in width, and the same thickness as that between the rails, shall be securely spiked to the crossties against the outer edge of each rail and flush with the top thereof. The company accepting this franchise shall restore to good condition the streets and sidewalks where disturbed, and keep the same in good repair at all times of their use of the streets herein specified. This work to be all done under the direction and to the satisfaction of the Board of Public Service and its chief engineer; and Council may cause the removal of said tracks, or may grant to any other company the use thereof upon their payment to the company granted this right the proper proportion of the cost of laying said tracks; and the company requesting this grant will file with Council a blue-print plat, showing what streets proposed tracks will cross, so that Council may act intelligently upon said ordinance.

NO. 297. Passed February 8, 1904.

Granting right to Cincinnati, Lebanon & Northern Railway Company to construct and maintain track across Shillito Street.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the Cincinnati, Lebanon & Northern Railway Company be and the same is hereby granted the right to construct and maintain a railroad track across Shillito Street, commencing at a point about thirty-five feet east of its present tracks on the south side, and crossing the north side of the street at a point about seventy feet east of its said other tracks.

SEC. 2. Said track to be constructed under the supervision of the city engineer.

NO. 298. Passed February 8, 1904.

Granting to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company permission to extend siding on Eggleston Avenue.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That there is hereby granted to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company permission to extend the siding of the Export Storage Company on Eggleston Avenue, immediately north of Sixth Street, sixty feet northwardly, for the benefit of the Pittsburg Plate Glass Company. Said extension shall be constructed in a like manner to the other tracks in the vicinity and under the supervision of the chief engineer of the Board of Public Service.

NO. 299. Passed February 8, 1904.

Granting permission to the Cincinnati, New Orleans & Texas Pacific Railway Company to lay, maintain, and operate a single railroad track across Water Street, between Plum and Elm streets, in the City of Cincinnati.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That permission be and the same is hereby granted the Cincinnati, New Orleans & Texas Pacific Railway Company to lay, maintain, and operate a railroad track across Water Street, in the city of Cincinnati, so as to connect thereby its lot sixty-six feet fronting on the south side of Water Street, commencing one hundred feet east of Plum Street, with property lying on the north side of said Water Street, immediately opposite said 66-foot lot.

SEC. 2. That said track shall be constructed under the direction and to the satisfaction of the chief engineer of the Board of Public Service of said city, and so as not to interfere with the ordinary use and drainage of said street.

SEC. 3. Said track in said street, and the street itself between the rails thereof and for two and one half feet on each side of the rails, shall be maintained in such state of repair at all times as not to interfere with the ordinary use and drainage of said street, and as may be required by the chief engineer

of the Board of Public Service or other board having its or like power.

NO. 316. Passed February 23, 1904.

Designating the buildings and spaces to be used for public markets within the City of Cincinnati, regulating the use of the same, and repealing all other ordinances heretofore passed that may in any way conflict herewith.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. The following buildings and spaces shall hereafter be used for public markets in the city of Cincinnati, to-wit:

Fifth Street from the west side of Main Street to the east side of Vine Street, to be designated as Fifth-street Market-space.

Pearl Street from Main Street to Sycamore Street (on both sides), Pearl Street from Sycamore Street to Broadway (on the north side only), and four hundred feet north and south of Pearl Street on Broadway, to be designated as Pearl-street Market-space.

Sixth Street from west line of Elm Street to Mound Street, Mound Street from Sixth Street to Fifth Street, Fifth Street from Mound Street to Baymiller, Third Street (north side) between Elm and Plum streets, and McFarland Street (south side) between Elm and Plum streets, to be designated as Sixth-street Market-space; provided that until the first day of February, 1905, Saturday markets may be held between the east line of Race Street and the west line of Elm Street between the hours of 2 o'clock and 10 o'clock P. M.

Court Street from Main Street to Freeman Avenue, and Walnut Street from Ninth to Canal Street, to be designated as Court-street Market-space.

Elder Street from Vine Street to Elm Street, and Elm Street from Findlay Street to Green Street, and Race Street from Green Street to Findlay Street, to be designated as Findlay Market-space.

Wade Street from John Street to Cutter Street, and Cutter

Street south to Clinton Street and north to Liberty Street, to be designated as Wade-street Market-space.

Bluerock Street (south side) from Apple Street to Colerain Avenue, and Colerain Avenue to Hoffner Street, and Apple Street from Bluerock Street to Palm Avenue, to be designated as Bluerock-street Market-space.

SEC. 2. The days and hours upon which said markets shall be held shall be as follows: Sixth-street Market, Findlay Market, and Bluerock-street Market, on Mondays, Wednesdays, and Fridays from daylight in the morning until 11 o'clock A. M.; Court-street Market, Pearl-street Market, and Wade-street Market, on Tuesdays, Thursdays, and Saturdays from daylight in the morning to 11 o'clock A. M.; Sixth-street Market and Pearl-street Market on Saturdays from 12:30 P. M. to 10 P. M.; and Findlay Market, on Saturdays from 12:30 P. M. to 11 P. M.; except on New Year's, Independence, Thanksgiving, and Christmas days, when there shall be no market held in any of the market-houses or places. Provided that in Sixth-street and Findlay markets, markets may be held on week-days immediately preceding these holidays named from 12:30 P. M. to 10 P. M.; and provided further that on Labor-day, Washington's birthday, and Decoration-day markets may be held in the usual places until 9 o'clock A. M.

SEC. 3. It shall be unlawful for any person or persons to occupy and stand in the market on Third and McFarland streets between Elm and Plum streets or in the streets at points immediately contiguous thereto, or in Court-street between Cutter Street and Freeman Avenue or in the streets at points immediately contiguous thereto; provided that this section shall not apply to actual and known farmers and gardeners who shall be the actual producers from his or her farm or garden of the products exposed for sale.

SEC. 4. It shall be unlawful for any person or persons to erect or place in position any stand to be used in said markets, or to place upon the sidewalks or streets within said markets any boxes, packages, or articles which are to be used or sold

or exposed for sale in said markets, or place in position for market purposes any wagon or vehicle of any kind whatsoever, except within one hour preceding the time for opening said markets as provided herein, and said stands, boxes, packages and articles, wagons or vehicles shall be removed within one hour after the close of said markets; provided that the placing of wagons or vehicles as provided in this section shall not apply to actual and known farmers and gardeners, as designated in Section 3 hereof.

SEC. 5. Any person or persons violating any of the provisions of this ordinance shall on conviction thereof be subject to a fine not to exceed ten dollars and costs of prosecution, at the discretion of the court, for each offense.

SEC. 6. The superintendent of markets or any market-master, or any one designated by him or them, are hereby authorized to remove any stand, box, package, article, wagon, or vehicle which is placed in said market in violation of Section 3 of this ordinance.

SEC. 7. An ordinance, No. 73, passed by Council July 20, 1903; an ordinance, No. 170, passed by Council September 14, 1903, and approved over mayor's disapproval October 5, 1903; and all other ordinances or parts of ordinances that may conflict with this ordinance are hereby repealed.

NO. 317. Passed February 23, 1904.

Granting to the Austin Pressed Brick and Tile Company permission to cross Western Avenue north of Hopple Street with a railway track.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That permission be and is hereby granted to the Austin Pressed Brick and Tile Company to cross Western Avenue with a railway track north of Hopple Street. The location of the center line of track to be two hundred feet north of the south line of the Hopple tract, measured on the west line of Western Avenue; thence eastwardly crossing Western Avenue at right angles. The gauge of the track to

be three feet. The rails used and construction of the track to be as directed by the Board of Public Service and its engineer. The said the Austin Pressed Brick and Tile Company to be responsible for any injury or damage to persons or property resulting from the construction and use of the track herein authorized. The track and the portion of Western Avenue where it crosses to be placed and maintained in good condition and repair, to the satisfaction of the Board of Public Service, by the said company, and said track to be removed and the avenue restored to good condition upon thirty days' notice from the Council of said city.

No. 321. Passed February 23, 1904.

To accept the annexation to the City of Cincinnati of certain contiguous territory lying between Mill Creek and the Miami and Erie Canal, and being that part of Spring-Grove Cemetery which lies south of Spring-Grove Avenue.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the annexation authorized by the commissioners of Hamilton County, Ohio, on November 18, 1903, of the following described territory of the county of Hamilton contiguous to the city of Cincinnati: "Beginning where the Miami and Erie Canal, the present northerly corporation line of the city of Cincinnati, intersects the east line of Section 22, Millcreek Township; thence southwestwardly along said Miami and Erie Canal and the present northerly corporation line of the city of Cincinnati to the eastern boundary line of the Twenty-third Ward of the city of Cincinnati; thence northwestwardly along said boundary line of the said Twenty-third Ward to the center line of Mill Creek, and the southerly corporation line of the village of Winton Place to the east line of Section 22, Millcreek Township; thence south along said section line to the place of beginning." An accurate map of which territory, together with the petition for its annexation and other papers relating thereto, and a certified transcript of the proceedings of the county commissioners in relation thereto,

is on file with the clerk of Council, and the same is hereby accepted.

[NOTE.—Annexation completed March 17, 1904.]

NO. 322. Passed February 23, 1904.

Accepting the annexation to the City of Cincinnati of contiguous territory of Millcreek Township.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That the annexation authorized by the action of the commissioners of Hamilton County on February 5, 1903, of the following described territory of the county of Hamilton contiguous to the city of Cincinnati—"Commencing at the intersection of Mill Creek (the same being the present west corporation line of the city of Cincinnati) with the south line of Section 27, Millcreek Township; thence west along the south line of Section 27, Millcreek Township, to the west line of said section; thence north along the west lines of Sections 27 and 28, Millcreek Township, to the West Fork Creek (the same being the present corporation line of the city of Cincinnati); thence along the West Fork Creek, the present corporation line, to Mill Creek; thence along Mill Creek to the place of beginning"—and an accurate map of which territory, together with the petition for its annexation and other papers relating thereto, and a certified transcript of the proceedings of the county commissioners in relation thereto are on file with the clerk of Council, be and the same is hereby accepted.

[NOTE.—Annexation completed March 17, 1904.]

NO. 330. Passed February 24, 1904.

Granting to the Cincinnati, New Orleans & Texas Pacific Railway Company the right to construct tracks in and across Flint Street and across Wade Street.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That the Cincinnati, New Orleans & Texas Pacific Railway Company be and the same is hereby granted the right to construct and maintain a track on the east side of McLean Avenue, commencing at a point about fifty-six feet north of

Wade Street ; thence running south along McLean Avenue to the north side of Wade Street ; thence southeastwardly at a curve of about twenty-two degrees across Wade Street ; also across Flint Street at a point about one hundred and forty feet east of McLean Avenue ; and also a track commencing on the north side of Flint Street, about one hundred and sixty-five feet east of McLean Avenue ; thence crossing Flint Street on a curve of about twenty-two degrees, and being along the south side of Flint Street to the west side of Dalton Avenue ; all the above as shown on plat hereto attached and made part hereof.

SEC. 2. That said track shall be constructed under the direction and to the satisfaction of the chief engineer of the Board of Public Service of said city, and so as not to interfere with the ordinary use and drainage of said street.

SEC. 3. Said tracks in said street, and the street itself between the rails thereof and for two and one half feet on each side of the rails, shall be maintained in such state of repair at all times as not to interfere with the ordinary use and drainage of said street, and as may be required by the chief engineer of the Board of Public Service or other board having its or like power.

SEC. 4. The company accepting this grant shall place and maintain between the rails thereof, and to within two and one half inches thereof on either side, a planking of solid oak plank, securely spiked to the crossties. Said planking to be of the same thickness as the depth of the rail, so that the surface of the plank shall be flush with the top of the rail. An oak planking of not less than four inches in width, and of the same thickness as that between the rails, shall be securely spiked to the crossties against the outer edge of each rail and flush with the top thereof. The company accepting under this franchise shall restore to good condition the streets and sidewalks where disturbed, and keep the same in good repair at all times during their use of the tracks therein specified. This work to be all done under the direction and to the satisfaction

of the Board of Public Service and its chief engineer. Council of the city of Cincinnati, state of Ohio, reserves the right to remove said tracks if at any time the city finds it will interfere with the use of the street for vehicle travel, and upon notice sent to said company by Council they shall remove said tracks within sixty days, and if not then Council shall remove said tracks and charge the cost of same to the company accepting this grant.

NO. 331. Passed March 7, 1904.

Regulating the sale to minors of ammunition for toy pistols and torpedo-canes and of blank cartridges.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. The sale within the limits of the city of Cincinnati to minors of caps or other explosive devices used in the discharge of toy pistols and torpedo-canes, and of all blank cartridges whether for use in pistols, revolvers, or cannons, be and the same is hereby prohibited.

SEC. 2. Any person making any sale contrary to the provisions of this ordinance shall upon conviction thereof be fined in a sum not exceeding one hundred dollars for each offense.

NO. 365. Passed March 21, 1904.

Granting permission to Shannon & Sokup to erect and maintain a drinking-fountain for the use of the public.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That permission be and hereby is granted to Shannon & Sokup to erect a public drinking-fountain on Fifth Street, at some point directly in front of the premises known as Nos. 118 and 120 West Fifth Street, said fountain to be erected, maintained, and paid for by said Shannon & Sokup, and to be under the supervision and subject to the approval of the chief engineer of the Board of Public Service, and erected at such a place on said Fifth Street as shall be designated by said engineer.

SEC. 2. That said permission to erect and maintain such fountain is granted subject to all ordinances of the city of

Cincinnati relative thereto, and subject to the revocation of such permission and removal of such fountain by the order of Council.

NO. 366. Passed March 28, 1904.

To amend sections 2 and 3 of an ordinance entitled "An ordinance to provide for the depositing and regulating the manner of collecting the garbage, etc., of the City of Cincinnati," passed November 18, 1901.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That sections 2 and 3 of an ordinance entitled "An ordinance to provide for the depositing and regulating the manner of collecting the garbage, etc., of the city of Cincinnati," passed November 18, 1901, be and the same is hereby amended so as to read as follows:

SEC. 2. The word "garbage" shall be held to include all refuse of animal, fish, or vegetable matter which has been used for food for man, and all refuse animal, fish, or vegetable matter which was intended to be so used. All garbage shall be collected in water-tight closed metal boxes, and such boxes shall be purified as often as the Board of Public Service shall direct, and shall have painted thereon the word "Garbage."

SEC. 3. It is hereby made the duty of the contractor with the city of Cincinnati for the collection and removal of garbage and dead animals to collect and remove, in accordance with the ordinances and contract of the city, all garbage and refuse animal, fish, or vegetable matter found within the city limits; and also all dead animals which are not removed or disposed of by the owner in a lawful manner within a reasonable time, and not exceeding twelve hours from the time of their death. Except as herein provided as to dead animals, no other person or party than the city contractor or its agents shall carry, convey, or transport through the streets, alleys, or public places of the city of Cincinnati such materials; and it shall be unlawful for any person to interfere in any manner with the collection and disposal of such materials by the city contractor.

NO. 367. Passed March 28, 1904.

To authorize the M. B. Farrin Lumber Company to erect a conduit over Station Avenue, between the line of the Cincinnati, Hamilton & Dayton Railroad and Spring-Grove Avenue.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That upon the giving of a bond, to be approved by the city solicitor, in the sum of five thousand dollars to the city of Cincinnati, conditioned on the payment of any damages which may be suffered by or assessed against the city of Cincinnati by reason of its permission to erect and maintain the overhead conduit hereinafter described, the M. B. Farrin Lumber Company, a corporation under the laws of Ohio, be and it is hereby authorized and permitted to erect and maintain an overhead conduit across Station Avenue, about midway between the line of the Cincinnati, Hamilton & Dayton Railroad and Spring-Grove Avenue in said city, said conduit to be of twenty-inch galvanized iron pipe, supported at the curb-lines of Station Avenue by ornamental posts and brackets, to be erected to such a height as will leave at least twenty feet clear between it and the level of the sidewalks under it, the construction to be subject to the approval of the chief engineer of the Board of Public Service, and subject to the right of Council at any time to rescind this permission and to order said conduit taken down.

SEC. 2. This ordinance shall take effect and be in force from and after its passage and the performance by the M. B. Farrin Lumber Company of the condition as to the bond.

NO. 371. Passed March 28, 1904.

Granting permission to the Cincinnati Traction Company to lay a railway track across Eastern Avenue.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That permission is hereby granted to the Cincinnati Traction Company to lay and maintain a railway track across Eastern Avenue, near St. Andrew Street, to connect two pieces of property belonging to that company.

SEC. 2. This track shall be laid under the direction of the Board of Public Service and its chief engineer in such manner as not to interfere in any way with travel upon Eastern Avenue.

SEC. 3. The street where disturbed by the laying of this track shall be restored by the Cincinnati Traction Company to as good condition as before being thus disturbed, so that there shall be no obstruction to travel in the character of the surface of the street.

NO. 385. Passed April 4, 1904.

Granting to the Cleveland, Cincinnati, Chicago & St. Louis Railway Company the right to place three vestibules at the entrances of their office in the Ingalls Building.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That permission be and the same is hereby granted to the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to construct three vestibules, one at each of the two entrances on Vine Street and one at the entrance on Fourth Street, to the offices of said railroad company located in the Ingalls Building, said vestibules to extend onto the sidewalk at a distance not to exceed two and one half feet from the house-line of said building.

SEC. 2. Said vestibules are to be constructed only after permit granted by the inspector of buildings and in accordance with plans previously approved by said inspector of buildings, and to be maintained subject at all times to the control of said inspector of buildings and to all regulations made by ordinances of the city or statutes of the state.

SEC. 3. The grant to construct and maintain such vestibules shall continue until revoked by Council, and if revoked said vestibules shall be immediately removed by said railway company or by the owners of the building whereon they are constructed.

NO. 394. Passed April 11, 1904.

Supplementary to an ordinance entitled "An ordinance to provide for a uniform system of numbering houses," passed March 13, 1891.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. The provisions of an ordinance entitled "An ordinance to provide for a uniform system of numbering houses," passed March 13, 1891, shall apply to all territory annexed to the city of Cincinnati since the passage of said ordinance or which may be hereafter annexed to the city of Cincinnati ; and the dividing-line for house numbers on the streets, avenues, or alleys running east and west is continued north on Vine Street to Erkenbrecher Avenue, thence along Erkenbrecher Avenue to Carthage Pike, thence along Carthage Pike to the corporation line of the city. The powers and duties given to the chief engineer of the Board of Public Improvements by said ordinance are hereby transferred and given to the chief engineer of the Board of Public Service.

NO. 408. Passed April 25, 1904.

Supplementary to an ordinance entitled "An ordinance providing for officers and members of Council, and fixing their duties, compensation, and bonds," passed May 4, 1903.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. In addition to the employees provided for in the ordinance to which this is supplementary there shall be a record examiner, whose duties, under the direction of the clerk, shall be to make all examinations of records necessary in the appropriation of property or improvement of streets so that all proper notices may be served, and upon the passage of ordinances directing the solicitor to institute condemnation proceedings a certificate shall be given by such record examiner to the solicitor of such examination showing the names of all persons having any record interest in said property and the character of the several interests. The compensation of such record examiner shall be one hundred dollars

per month, and said record examiner shall give bond in the sum of three thousand dollars for the faithful discharge of his duties.

· NO. 417. Passed May 2, 1904.

Amending Section 1 of an ordinance entitled "An ordinance to establish the office of city weigher," passed September 3, 1847.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That Section 1 of an ordinance entitled "An ordinance to establish the office of city weigher," passed September 3, 1847, be amended so as to read as follows:

SEC. 1. There is hereby created the office of city weigher, which shall be filled by appointment by the mayor. The term of such office shall be one year, and the bond therefor shall be two thousand dollars. The city weigher shall keep an office in some central part of the city, and shall supply himself with suitable scales, tested and approved by the city sealer of weights and measures, and when requested shall weigh any article of commerce and deliver to the applicant a certificate of the weight thereof. He shall keep a register of all articles weighed. He shall report an abstract thereof, with the amount of fees received, to the city auditor, under oath, on or before the first day of each and every month.

SEC. 2. Section 1 of said ordinance entitled "An ordinance to establish the office of city weigher," passed September 3, 1847, is hereby repealed.

NO. 423. Passed May 2, 1905.

Authorizing the annexation of contiguous territory east of Reading Road to the City of Cincinnati.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the annexation to the city of Cincinnati of the territory hereinafter described and indicated on the plat hereto attached be and the same is hereby authorized, to-wit: Commencing at the southeast corner of Section 5, Millcreek

Township; thence north along the east line of Sections 5 and 6, Millcreek Township, to the center of Carthage avenue; thence northwestwardly along the center line of Carthage Avenue to the west line of Reading Road; thence south along the west line of Reading Road to the south line of Section 5, Millcreek Township; thence east along said section line to the place of beginning.

SEC. 2. That the city solicitor be and is hereby authorized to prosecute proceedings necessary to effect such annexation.

NO. 756. Passed February 7, 1905.

An ordinance to accept the annexation to the City of Cincinnati of contiguous territory east of Reading Road.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the annexation authorized by the commissioners of Hamilton County, Ohio, on November 16, 1904, of the following described territory of the county of Hamilton, contiguous to the city of Cincinnati—Commencing at the southeast corner of Section 5, Millcreek Township; thence north along the east line of Sections 5 and 6, Millcreek Township, to the center of Carthage Avenue; thence northwestwardly along the center line of Carthage Avenue to the west line of Reading Road; thence south along the west line of Reading Road to the south line of Section 5, Millcreek Township; thence east along said section line to the place of beginning; an accurate map of which territory, together with the petition for its annexation and other papers relating thereto, and a certified transcript of the proceedings of the county commissioners in relation thereto are on file with the clerk of Council—be and the same is hereby accepted.

[NOTE.—Annexation completed at 4 o'clock P. M. Saturday, February 18, 1905.

No. 443. Passed May 16, 1904.

To amend Section 1 of an ordinance entitled "An ordinance to establish a Board of Health and regulate its duties," passed May 4, 1903.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That Section 1 of an ordinance entitled "An ordinance, No. 5, to establish a Board of Health and regulate its duties," passed May 4, 1903, be amended so as to read as follows:

SEC. 1. It is hereby declared that it will be for the best interest of the city of Cincinnati that the Board of Public Service act as a Board of Health for said city, and said Board of Public Service is hereby constituted as the Board of Health of said city, as provided in Section 187 of the new municipal code, as amended April 25, 1904.

SEC. 2. Section 1 of said ordinance entitled "An ordinance, No. 5, to establish a Board of Health and to regulate its duties," passed May 4, 1903, be and the same is hereby repealed.

No. 459. Passed May 23, 1904.

Supplementary to Section 1 of an ordinance entitled "An ordinance fixing the wharfage fees for the use of the Public Landing, and providing for the collection thereof," passed October 8, 1900.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That Section 1 of an ordinance entitled "An ordinance fixing wharfage fees for the use of the Public Landing and providing for the collection thereof," passed October 8, 1900, be supplemented by supplementary section as follows:

SEC. 1. Steamboats or other watercraft making regular excursion trips to points within ten miles of the Public Landing of the city of Cincinnati, and transporting passengers exclusively, shall pay for each such trip, in lieu of the wharfage fees provided for in the section to which this section is supplementary, the sum of one dollar for each and every landing at the Public Landing of said city. If such steamboat

or watercraft remains continuously at the Public Landing for more than twelve hours, it shall pay the wharfage fees provided for in the section of which this section is supplementary.

NO. 472. Passed June 13, 1904.

Supplementary to an ordinance entitled "An ordinance providing for officers and members of Council, and fixing their duties, compensation, and bond," passed May 4, 1903.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That in addition to the employees provided for in the ordinance to which this is supplementary and in the ordinances supplementary thereto there shall be two additional notice clerks, whose duties shall be to serve notices upon property-owners and others under ordinances and resolutions of Council. Their compensation shall be nine hundred dollars per year. They shall each give bond in the sum of two thousand dollars.

SEC. 2. This ordinance shall take effect from and after the earliest period allowed by law, and shall remain in full force and effect for the period of one year after the appointments herein provided for are made.

NO. 473. Passed June 13, 1904.

Prohibiting the throwing upon the streets of confetti, paper ribbons, or other things of that kind.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That it shall be unlawful for any person or persons to throw into or upon any of the streets, sidewalks, alleys, or public places of this city any small particles of paper called or known as confetti, or any other small particles of paper, or any paper ribbons or strings, or small feather dusters, or any thing of that character; and any person found guilty of so doing shall be subject to a fine of not less than five dollars or more than fifty dollars, or imprisonment for not more than thirty days, or both fine and imprisonment.

No. 499. Passed July 11, 1904.

To authorize the annexation of certain territory bounded by Spring-Grove Avenue, west line of Section 16, Miami and Erie Canal, west line of Donnell Street produced, center of Mill Creek, and east line of lot No. 22 of the M. & C. R. R. subdivision to the City of Cincinnati.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the annexation of the following described territory—beginning at a point in the south line of Spring-Grove Avenue and the west line of Section 16; thence south along the west line of Section 16 to the Miami and Erie Canal and present corporation line; thence easterly along the canal and present corporation line to a point where the west line of Donnell Street produced intersects the same; thence north on said produced line to the center of Mill Creek; thence northwardly along the center of Mill Creek to the east line of lot No. 22 of the M. & C. R. R. subdivision; thence northwardly on said east line and line produced to the south line of Spring-Grove Avenue; thence southwestwardly along the south line of Spring-Grove Avenue to the place of beginning—be and the same is hereby authorized.

SEC. 2. That the solicitor be and he is hereby authorized to prosecute the proceedings necessary to effect such annexation.

No. 753. Passed January 30, 1905.

To accept the annexation to the City of Cincinnati of certain territory bounded by Spring-Grove Avenue, west line of Section 16, Miami and Erie Canal, west line of Donnell Street produced, center of Mill Creek, and east line of lot No. 22 of the M. & C. R. R. subdivision.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the annexation authorized by the commissioners of Hamilton County, Ohio, on November 16, 1904, of the following described territory of the county of Hamilton contiguous to the city of Cincinnati—beginning at a point in the south line of Spring-Grove Avenue and the west line of Section 16; thence south along the west line of Section 16 to

the Miami and Erie Canal and present corporation line; thence easterly along the canal and the present corporation line to a point where the west line of Donnell Street intersects the same; thence north on said produced line to the center of Mill Creek; thence northwestwardly along the center of Mill Creek to the east line of lot No. 22 of the M. & C. R. R. subdivision; thence northwardly on said east line and line produced to the south line of Spring-Grove Avenue; thence southwestwardly along the south line of Spring-Grove Avenue to the place of beginning; an accurate map of which territory, together with the petition for its annexation and other papers relating thereto, and a certified transcript of the proceedings of the county commissioners in relation thereto are on file with the clerk of Council—be and the same is hereby accepted.

[NOTE.—Annexation completed at 4 o'clock P. M. Friday, February 10, 1905.

NO. 554. Passed August 29, 1904.

Regulating street parades, processions, and street assemblages in the City of Cincinnati.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That all street parades, processions and street assemblages occupying, assembling or marching upon any street, lane, alley, highway, wharf or public square of the city of Cincinnati, excepting posts of the Grand Army of the Republic, the National Guard of the State of Ohio, funeral processions, and the fire and police forces of the city of Cincinnati, are forbidden unless a permit for the same shall have previously been obtained from the chief of police. Written notice of the object, time, and desired place or route of such procession, parade, or assemblage, and the character, purpose, and names of the officers of the same, shall be given by the chief officers thereof not less than twenty-four hours previous to its forming, assembling, or marching to the chief of police; and to protect the business interests of the citizens, and to prevent delay in travel, and to preserve peace and good order of the

city, the said chief of police shall designate to such procession, parade, or assemblage what and how much of the streets, lanes, alleys, highways, wharves, or public squares it may occupy; and it shall be the duty of said chief of police to furnish such escort as may be necessary to protect persons and property, and maintain public peace and good order of the city.

SEC. 2. Any person or persons violating any of the provisions of this ordinance shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars for each offense, and in default of payment of said fine and costs shall be committed to the Cincinnati Workhouse for a period of not more than thirty days.

NO. 557. Passed August 29, 1904.

Creating the office of inspector and weigher of hay, and prescribing his duties.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. There is hereby created and established the office of inspector and weigher of hay. He shall be appointed for one year, and shall serve until a successor is appointed and qualified. He shall receive a salary of four hundred and eighty dollars per year, payable in monthly installments, and shall give bond in the sum of one thousand dollars. His duties shall be as herein prescribed, and he shall enforce the provisions of this ordinance.

SEC. 2. Said inspector and weigher of hay shall, when requested by the purchaser or seller, inspect and weigh all hay, and ascertain the quality and net weight of each parcel or load thereof, and make proper deduction for the weight of the carriage or other vehicle, poles, ropes, or other extraneous matter in and about said hay when weighed. He shall give to the person or persons desiring such inspection and weighing a certificate of the character, quality, and net weight of such load or parcel. He shall keep a record of such certificates so issued, and shall make a monthly report thereof to the city auditor.

SEC. 3. Such inspector and weigher shall charge and receive the following fees for all hay weighed or inspected, to-wit :

For each load or parcel not exceeding 1,000 pounds..... 15c

For each load or parcel exceeding 1,000 pounds..... 25c

All fees collected shall be paid monthly to the city treasurer.

SEC. 4. It shall be unlawful for any person to offer for sale upon the streets and public places or in the public markets of said city any hay without first obtaining the certificate as to weight, character, and quality herein provided for.

SEC. 5. Notwithstanding the seller may have obtained the certificate herein provided for, he shall, upon request of the purchaser, permit said hay to be again inspected and weighed, provided the purchaser pays the necessary fee therefor.

SEC. 6. It shall be unlawful to sell or offer for sale within the limits of the city of Cincinnati any hay or straw in bales unless there be marked in a legible manner upon such bale the gross weight thereof, and the exact tare or weight of the baling.

SEC. 7. Any person violating the provisions of this ordinance shall upon conviction thereof be fined in a sum not exceeding one hundred dollars.

SEC. 8. An ordinance entitled "An ordinance to regulate the inspection and weighing of hay in the city of Cincinnati and for licensing inspectors and weighers," passed September 22, 1848 (C. & H. 258), and an ordinance entitled "An ordinance supplementary to an ordinance to regulate the inspection and weighing of hay in the city of Cincinnati and for licensing inspectors and weighers," passed February 20, 1850 (C. & H. 260), and an ordinance entitled "An ordinance supplementary to an ordinance entitled 'An ordinance to regulate the inspection and weighing of hay in the city of Cincinnati and for licensing inspectors and weighers, passed September 22, 1848,'" passed March 14, 1860 (C. & H. 260), and an ordinance entitled "An ordinance to regulate the sale of baled hay and straw in the city of Cincinnati," passed April 3, 1868 (C. & H. 261), are hereby repealed.

NO. 555. Passed August 29, 1904.

Authorizing the Board of Public Service to enter into a supplemental contract with the Cincinnati Reduction Company for the collection, removal, and disposal of garbage in the territory recently annexed to the City of Cincinnati.

Whereas, The contract for the collection, removal, and disposal of garbage, dead animals, and animal offal entered into by the city of Cincinnati with M. H. Chamberlin and John B. Corlis, in pursuance of an ordinance passed by the Board of Legislation on December 30, 1901, did not provide for the territory annexed to the city of Cincinnati since the date of said ordinance; and

Whereas, Said M. H. Chamberlin and John B. Corlis, with the consent of the city of Cincinnati, assigned their contract to the Cincinnati Reduction Company, a corporation which is now performing said contract; and

Whereas, The Cincinnati Reduction Company offers to include said territory so annexed in said contract for the sum of two thousand dollars per year:

Now, therefore, be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the Board of Public Service be and is hereby authorized to enter into a contract with the Cincinnati Reduction Company for the collection, removal, and disposal of garbage, dead animals, and animal offal within the territory annexed to the city of Cincinnati since December 30, 1901. Said collection, removal, and disposal is to be done in the same manner and subject to the same conditions provided for in the specifications under which the Cincinnati Reduction Company is now collecting, removing, and disposing of garbage, dead animals, and animal offal in the territory comprised within the limits of the city of Cincinnati on December 30, 1901. Said Board of Public Service is further authorized to agree to pay and to pay for such work so done in said annexed territory the sum of two thousand dollars per year.

NO. 607. Passed October 10, 1904.

To amend Ordinance No. 8, passed May 4, 1903, providing "for the organization of the Board of Trustees of the Sinking Fund of the City of Cincinnati."

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That Section 2 of Ordinance No. 8, passed May 4, 1903, entitled "An ordinance to provide for the organization of the Board of Trustees of the Sinking Fund of the city of Cincinnati," be amended so as to read as follows :

SEC. 2. Said board is hereby authorized to elect a secretary, who shall act as clerk, an assistant secretary, and a stenographer. The salary of said secretary shall be thirty-five hundred dollars per annum ; that of the assistant secretary eighteen hundred dollars per annum ; and that of the stenographer seven hundred and twenty dollars per annum. Said salaries shall be paid monthly. The secretary and assistant secretary shall each give bond in the sum of fifty thousand dollars. In the absence or disability of the secretary the assistant secretary shall perform all the duties and exercise all the powers of the secretary. Except as prescribed by law or ordinance, the secretary, assistant secretary, and stenographer shall perform such duties as the board, as sinking fund trustees or tax commissioners, may prescribe.

NO. 609. Passed October 10, 1904.

Supplementary to an ordinance entitled "An ordinance providing for the officers, sergeants, secretaries, clerks, and employees of the Board of Public Safety," passed May 18, 1903.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That in addition to the employees provided for in the ordinance to which this is supplementary there is hereby authorized the employment of a messenger at a salary of two hundred and sixty dollars per annum, payable semi-monthly.

NO. 610. Passed October 10, 1904.

Supplementary to an ordinance providing for the organization of the police department, passed May 18, 1903.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. Any member of the police department, after the Board of Public Safety shall have found such member to be qualified therefor, may be assigned as an assistant to the inspector in charge of the detective department, with such authority and under such title as the board may determine. Such member so assigned shall, while so assigned as an assistant to such inspector, receive a salary at the rate of seventeen hundred dollars per year, if his salary as a member of said department does not amount to that sum.

SEC. 2. When any of the positions of detective provided for in the ordinance to which this is supplementary has become or hereafter becomes vacant for any cause, such position is or shall be abolished.

SEC. 3. In addition to the number of members of the police department occupying positions of detective, or detailed or assigned to detective duty, the Board of Public Safety shall at all times maintain a list of twenty members of such police department whom the board find to be qualified for detective duty, and any of such members so found to be qualified may, from time to time, be assigned by the chief of police to detective duty, and such assignments so made may be revoked at any time. The number so assigned for detective duty at any one time shall not exceed such number as may, from time to time, be determined by the Board of Public Safety. Members of the police department while so assigned to detective duty shall receive such extra compensation, not exceeding two hundred dollars per year, as may be necessary to increase their respective salaries to a rate not more than twelve hundred dollars per year.

No. 615. Passed October 17, 1904.

To amend Section 2 of an ordinance "to establish a Board of Health and to regulate its duties," passed May 4, 1903.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That Section 2 of an ordinance entitled "An ordinance to establish a Board of Health and to regulate its duties," passed May 4, 1903, be amended so as to read as follows:

SEC. 2. The Board of Health may appoint twenty-one ward or district physicians. Said board may also appoint for sanitary duty persons having the necessary qualifications for the following positions, to-wit: One head bookkeeper, one registrar, two permit clerks, one notice clerk, one stenographer, one milk inspector, one meat inspector, five assistant meat inspectors, one sanitary superintendent, one assistant sanitary superintendent, one fumigator, thirty sanitary officers, one chemist and bacteriologist, one medical inspector, and sixteen examining physicians.

SEC. 2. That Section 2 of an ordinance entitled "An ordinance to establish a Board of Health and to regulate its duties," passed May 4, 1903, be and the same is hereby repealed.

No. 634. Passed October 31, 1904.

To provide for a certain extension of the route and tracks of the Cincinnati Street Railway Company, known as the Eighth-street Route of Street Passenger Railroads, to provide for a change of route of said railroad, and authorizing the abandonment of the Price-Hill Spur Route.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

Whereas, The Cincinnati Street Railway Company and the Cincinnati Traction Company, corporations organized under the laws of Ohio, respectively own and operate a certain electric street passenger railroad route known as the Eighth-street Route, running to Price Hill, in the city of Cincinnati, as described in the resolutions granting an extension of time, etc., to the said the Cincinnati Street Railway Company, passed by the Board of Administration of the said city of Cincinnati on August 13, 1896; and

Whereas, The residents of Price Hill have requested said companies to improve the transportation facilities to Price Hill by building and operating a certain extension of the tracks of said Eighth-street Route as hereinafter described, and by changing the route of said line as hereinafter described in the center of said city of Cincinnati so as to avoid congestion and delays in traffic to said Price Hill ; and

Whereas, Said companies are willing to extend and change said route as desired by said residents of Price Hill in consideration of receiving authority from this Council to abandon the Price-Hill Spur Route, as described in the aforesaid resolutions of August 13, 1896, which route has been and is now being operated as a short horse-car line in territory already served by the said Eighth-street Route ; and

Whereas, There have been presented to this Council the requisite consents of owners of more than a majority of front feet of property abutting along the street over which said extension of said Eighth-street Route is desired ; and

Whereas, It is deemed by Council necessary and beneficial to the public that said Eighth-street Route be extended and changed as desired by said residents of Price Hill and that said spur route be abandoned ;

Now, therefore, be it ordained by the Council of the City of Cincinnati, State of Ohio, That in consideration of the premises the said the Cincinnati Street Railway Company and the Cincinnati Traction Company are hereby authorized and permitted to extend the tracks and route of said Eighth-street Route aforesaid over the following streets, to-wit: Beginning at the present terminus of said Eighth-street Route in Glenway Avenue, between Oak Street and First Street, in said city of Cincinnati, and thence extending by double track along Glenway Avenue for a distance of approximately twenty-four hundred feet to Colonial Avenue. And the said companies are hereby authorized to construct and thereafter to maintain and operate along said extended route all the tracks, curves, loops, Ys, crossovers, switches, poles, wires, and overhead

construction and appliances necessary for the operation of said electric street railway. The construction of said extension, both as to track and overhead system, shall be similar to that now in use on the Eighth-street Route (except that said companies may, in their discretion, use Shanghai T rails in the construction of the tracks), and said extension shall be subject to all the terms and conditions governing said Eighth-street Route.

Be it further ordained by the Council of the City of Cincinnati, State of Ohio, That in consideration of the said the Cincinnati Street Railway Company and the Cincinnati Traction Company accepting the provisions of this ordinance as hereinafter provided, and agreeing to construct and operate the extension of the Eighth-street Route on Price Hill as hereinbefore provided and in accordance with the terms of this ordinance, and of said companies further agreeing to operate said Eighth-street Route in accordance with the change of route hereinabove provided for, said companies shall have permission and authority and the same is hereby granted them to abandon and cease to operate from the date of the passage of this ordinance the route of street passenger railroads known as the Price-Hill Spur Route in the aforesaid resolutions of August 13, 1896; said route commencing at the top of Price-Hill Incline Plane; thence on Matson Place (Price Hill), Price Avenue, Hawthorne Place to Warsaw Avenue; returning on Hawthorne Avenue, Price Avenue, and Matson Place to the place of beginning. Upon the abandonment of the operation of said route said companies shall immediately remove from the aforesaid streets all the tracks, switches, rails, ties, and appliances used in the operation of said Price-Hill Spur Route, and upon their removal shall restore said streets to good condition; all of said work of removal of tracks, etc., and restoring of the streets to be done under the supervision of and to the satisfaction of the city engineer.

The privileges granted by this ordinance, together with all of its terms and conditions, shall be accepted by said grantees by writing filed with this Council within ten days from its

passage and approval, and upon filing said acceptance the said the Cincinnati Traction Company shall enter into a bond in the sum of ten thousand dollars, conditioned that it will faithfully perform all the terms and conditions of this ordinance.

NO. 635. Passed October 31, 1904.

To provide for a temporary change of the Third- and Fifth-street Route of Street Passenger Railroads.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

Whereas, The Cincinnati Street Railway Company and the Cincinnati Traction Company, corporations organized under the laws of Ohio, respectively own and operate the route of street passenger railroads known as the Third- and Fifth-street Route, as described in resolutions granting an extension of time, etc., to the said the Cincinnati Street Railway Company, passed by the Board of Administration of the said city of Cincinnati, on August 13, 1896; and

Whereas, The residents of this city who use said Third- and Fifth-street Route have petitioned this Council and said companies to secure better service by changing and shortening said route; and

Whereas, It is deemed by the Council necessary and beneficial to the public that said route be temporarily changed as hereinafter described:

Now, therefore be it ordained by the Council of the City of Cincinnati, State of Ohio, That said Council hereby agrees that said Third- and Fifth-street Route of street passenger railroads, as described in said resolutions of August 13, 1896, be temporarily changed so that cars will be temporarily operated over and along the following streets instead of the streets as described in the aforesaid resolutions, to-wit: Commencing at Fifth and Walnut streets; thence along Fifth, Freeman, and Sixth streets to the present terminus at the intersection of Front and Sixth streets; and returning therefrom on Sixth, Freeman, Fifth, Baymiller, Third, Central Avenue, Fourth, Vine, and Fifth to Walnut, the place of beginning.

No. 642. Passed October 31, 1904.

Granting to the Daniel Linseed Oil Company the right to construct and maintain a subway under Toledo Street to connect with the railway of the C. C. C. & St. L. Railway.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the right is hereby granted to the Daniel Linseed Oil Company to construct and maintain a subway crossing under Toledo Street, from the property of the Daniel Linseed Oil Company at the corner of Toledo Street and Fifth Street to the track of the C. C. C. & St. L. Railway to Toledo Street.

SEC. 2. Such subway shall be constructed under the supervision of the Board of Public Service and its chief engineer at such depth and in such manner as not to interfere with sewers or pipes now laid in Toledo Street and necessary for public or other service. The portion of Toledo Street disturbed in the work of placing such subway shall be restored to its present condition. This grant is subject to the condition that if said subway at any time interfered with any other proper and necessary use of the street it shall be removed or altered at any time that the Council of the city of Cincinnati may deem necessary. The Daniel Linseed Oil Company shall in laying and maintaining this subway be subject to such restrictions as may be required by the Board of Public Service.

No. 644. Passed November 7, 1904.

Amending Section 1 of an ordinance entitled "An ordinance regulating the right of way of the streets of the city," passed December 14, 1903, and numbered 250.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

That the first section of an ordinance entitled "An ordinance regulating the right of way of the streets of the city," passed December 14, 1903, and numbered 250, be so amended as to read as follows:

SEC. 1. The right of way of vehicles using the streets of the city shall, as far as practicable, be subject to the following regulations: They shall keep to the right-hand side of the

street, and in meeting shall pass to the right. When moving slowly they shall keep near the right curb, so as to give vehicles moving at a greater speed the use of the central part of the street. In turning corners, when to the right, vehicles shall keep to the right; when to the left, no turn shall be made until the opposite half of the lateral street is reached. When not in motion the right side of the vehicle shall be next to the curb or side line of the street, except that at points of streets where the grade may exceed four per cent either side of the vehicle may be next to the curb or side line of the street. And that said original Section 1 is hereby repealed.

NO. 698. Passed December 19, 1904.

Supplementary to Section 1 of an ordinance entitled "An ordinance to provide for the organization of the city solicitor's office," passed May 4, 1903.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That Section 1 of an ordinance entitled "An ordinance to provide for the organization of the city solicitor's office," passed May 4, 1903, be supplemented by supplementary section as follows:

SEC. 1-a. In addition to the subordinates provided for in Section 1 of the ordinance to which this is supplementary, the city solicitor shall have power to appoint an additional clerk, who shall also be a competent stenographer, at a salary of six hundred dollars per annum, payable semi-monthly.

NO. 724. Passed January 16, 1905.

Granting the Victor Safe and Lock Company the right to construct and maintain a platform or wagon scale in East Cheapside Street, fifty feet south of Ninth Street.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the Victor Safe and Lock Company is hereby authorized to erect and maintain a platform or wagon scale in East Cheapside Street, fifty feet south of Ninth Street in front of its premises.

SEC. 2. The space to be occupied by the scale shall not exceed eight by fourteen feet.

SEC. 3. The scale or platform to be placed level with the roadway, and a portion of the street affected by the construction of the scale to be restored to and maintained in good condition during the time of the occupancy of the street.

SEC. 4. The scale to be changed in elevation by the said company to suit any future improvement of Cheapside Street.

SEC. 5. The construction and maintenance of the scale and restoration and maintenance of the street to be at the expense of the said company and under the supervision of the engineer of the Board of Public Service.

SEC. 6. The said the Victor Safe and Lock Company to be responsible for any and all injury or damage to persons or property by reason of the occupancy or use of the street as herein permitted.

SEC. 7. The scale to be removed and the street restored to good condition at any time by the said company when so ordered by Council upon thirty days' notice.

NO. 725. Passed January 16, 1905.

Authorizing D. E. Lafferty, deputy city weigher for the Chamber of Commerce, to locate scales for the weighing of wagons on the north side of Sixth Street, two feet east of the northeast corner of Sixth and Harriet streets.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That permission be and is hereby granted to D. E. Lafferty, deputy city weigher of the Chamber of Commerce, to erect and maintain scales for weighing wagons on the north side of Sixth Street, at a point two feet east of the northeast corner of Sixth and Harriet; said scales to be constructed extending not to exceed twenty feet east and west on Sixth Street, and not to exceed ten feet north and south from the north line of Sixth Street, as per plat hereto attached.

SEC. 2. Said scales shall be constructed under the supervision and to the satisfaction of the chief engineer of the Board of Public Service of the city of Cincinnati, at such place as he

shall designate, in conformity to Section 1 of the ordinance herein. Said scales shall at no time be allowed to interfere in any way whatsoever with the use of said Sixth or Harriet streets for street purposes; and said D. E. Lafferty shall at any time upon receiving notice from Council or the engineer of the Board of Public Service immediately remove said scales, and put said Sixth Street in as good and serviceable condition for use for street purposes as it was before said scales were built, or upon the failure of said Lafferty to so remove said scales after notice received Council or the engineer of the Board of Public Service shall have power to cause said scales to be removed at the expense of said D. E. Lafferty. The permission granted herein shall not be construed or considered to extend beyond such time as said D. E. Lafferty shall hold the office of deputy city weigher of the Chamber of Commerce.

NO. 728. Passed January 16, 1905.

An ordinance granting permission to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company to extend sidetrack in the south side of Water Street, east of Walnut Street.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That permission is hereby granted to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company to extend eastwardly for a distance of fifty feet its sidetrack now in the south side of Water Street (extending eastwardly from Walnut Street a distance of one hundred and ninety feet) for the purpose of an extension of the sidetrack for the Globe Soap Company.

SEC. 2. This extension track shall be laid in accordance with the terms and conditions upon which was laid the original track which this is intended to extend.

SEC. 3. The right of said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company to the occupation of the street with this extension of fifty feet shall be coexistent with its right to the street for said one hundred and ninety feet of track.

No. 732. Passed January 23, 1905.

Declaring the necessity for and the intention of Council to build a new hospital at an expense not exceeding one million dollars, and authorizing the Board of Public Service to employ an architect to draw plans for said hospital and supervise the construction thereof.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. The Council of the city of Cincinnati, state of Ohio, hereby finds that a new hospital is necessary for the city of Cincinnati, and hereby declares its intention of building said new hospital at an expense not exceeding one million dollars.

SEC. 2. The Board of Public Service is hereby authorized to employ a competent architect to prepare the plans, specifications, and estimates, to supervise the work of construction, and to render all other architectural services necessary in the construction of the buildings and appurtenances for the hospital proposed to be established by the city of Cincinnati upon the property on and near Burnet Avenue in said city, acquired by said city or in process of acquisition through appropriation proceedings for hospital purposes.

SEC. 3. Said plans and specifications are to be based upon plan No. 9, as prepared by the Hospital Commission, and approved by the Board of Public Service on the 27th day of December, 1904, with such modifications as may be ordered by the Board of Public Service. Said buildings and appurtenances without equipment shall be such that they can be completely built, ready for equipment for hospital purposes, at a cost of not more than one million dollars.

SEC. 4. The compensation to be paid to said architect shall not exceed four per cent on the cost of construction.

SEC. 5. Said compensation shall be paid by said Board of Public Service from the new hospital fund, as now provided or hereafter to be increased by the issue of bonds for new hospital purposes.

No. 734. Passed January 23, 1905.

Regulating the getting on and off vehicles in motion by minors.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. It shall be unlawful for any minor under the age of eighteen years to climb upon, jump on or off, or in any way attach himself to any locomotive, engine, steam or street railroad car, motor car, or automobile while in motion.

SEC. 2. No conductor, engineer, or other person in charge of a locomotive, steam or street railroad car, motor car, or automobile shall knowingly suffer or permit such minor to climb upon, jump on or off, or attach himself to any such locomotive, steam or street railroad car, motor car, or automobile while in motion, nor shall such conductor, engineer, or person in charge permit any such minor not being a passenger to remain upon the platform or steps of any locomotive, steam or street railroad car, or motor car, or automobile while in motion.

SEC. 3. Any person violating the provisions of this ordinance shall upon conviction thereof be fined in a sum not more than twenty-five dollars.

SEC. 4. That an ordinance entitled "An ordinance making it unlawful for minors to get on or off locomotives or steam or street railroad cars while in motion," passed March 11, 1892, be and the same is hereby repealed.

No. 333. Passed March 7, 1904.

Granting to the John Hoffmann's Sons permission to erect a bridge across Avery Alley, connecting buildings on either side thereof.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

That permission be and the same is hereby granted to the John Hoffmann's Sons to erect a bridge not exceeding thirteen feet eight inches in width across Avery Alley, between Brighton Alley and Bank Street, for the purpose of connecting their building on either side of said alley ; said bridge to be not less than twelve feet above the curb of said alley, and said bridge

to be built so as not to obstruct or interfere with ordinary travel through said alley. The city reserves the right to remove said bridge if it shall be found to interfere with ordinary traffic and use of the street in any manner. Such removal shall take place after immediately following the expiration of thirty days after said John Hoffmann's Sons shall have received notice from the city to remove it.

NO. 441. Passed May 9, 1904.

Granting the Perkins-Campbell Company the right to erect and maintain a bridge across Scott Alley.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That permission be and the same is hereby granted to the Perkins-Campbell Company of Cincinnati, Ohio, and to its successors and assigns, to erect a bridge not exceeding twenty feet in width across Scott Alley, between New Street and Seventh Street, and to maintain the same for the purpose of connecting its buildings on either side of said alley; said bridge to be not less than twenty feet above the curb of said alley, and said bridge to be built so as not to obstruct or interfere with travel through said alley.

NO. 468. Passed June 13, 1904.

To provide for licenses on certain trades, businesses, and professions carried on within the city limits, and providing for the enforcement and collection of fines and penalties for carrying on business without a license, and for other purposes.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. No person shall be engaged in any trade, business, or profession hereinafter mentioned until he or she shall have obtained a license therefor, as hereinafter provided.

SEC. 2. Any person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one thousand dollars nor less than fifty dollars, or by imprisonment for not more than six months, or by both.

SEC. 3. No license granted or issued under any of the provisions of this ordinance shall in any manner be assignable or transferable, or shall authorize any person other than is therein mentioned or named to do business, or shall authorize any other business than is therein mentioned or named to be done or transacted, or the business therein named or mentioned to be done or transacted at any place other than is therein mentioned or named, without permission from the city auditor indorsed thereon. The city auditor shall at the time of granting such permission immediately record such change or transfer upon the proper registry. A license for any business conducted at any particular or fixed locality shall authorize the transaction of such business by an individual, a firm, or a corporation. Every such license shall specify by name the person, firm, or corporation to whom or which it shall be issued, and shall designate the particular place at which the business shall be carried on.

SEC. 4. All licenses heretofore issued by the auditor or other duly authorized officer, and now unexpired, shall be valid until the time for which they were granted shall expire.

SEC. 5. In all cases where the amount of license to be paid by any person, firm, or corporation is based upon or regulated by the amount of sales affected or business transacted, such person, firm, or corporation shall render a sworn statement to the auditor of the total amount of sales made or business done by them respectively during the six months preceding the application for a license, which statement shall determine the amount for which such license shall be issued.

SEC. 6. Every person having a license under the provisions of this ordinance shall exhibit the same at all times while in force in some conspicuous part of his or her place of business, and shall produce the same when applying for a renewal, or when requested to produce it by any municipal officer or by any member of the police department.

SEC. 7. All licenses provided for herein shall date from the first day of July or January preceding the date of their

issue, and shall be issued for one year from either of the aforesaid dates. Licenses for places of amusement or entertainment may be issued for the period of one year or for any shorter time.

SEC. 8. All licenses which shall become due on the first day of July or January shall be considered delinquent if not paid within fifteen days thereafter, or for every month or fraction of a month a license shall remain delinquent after the fifteen days allowed from the first day of July or January, as aforesaid, there shall be added to the whole amount of such license a penalty of two per cent, which shall be collected in the same manner as the license. But the addition, if any, of a penalty to a license shall not exempt the person from whom said license may be collectible from any penalty to which he or she may be liable for violating any of the provisions of this ordinance.

SEC. 9. If at any time it shall be made to appear to the satisfaction of the auditor that any licensed person has violated any of the provisions of this ordinance, then the said auditor shall revoke his or her license, and such licensed person shall cease to have any authority thereunder.

SEC. 10. The conviction and punishment of any person for transacting any business without a license shall not excuse or exempt such person from the payment of any license due or unpaid at the time of such conviction.

SEC. 11. Keepers of public ball-rooms shall pay a license fee of three hundred dollars per annum or ten dollars per night; provided, however, that no license shall be issued without the consent of the mayor.

SEC. 12. Every person, company, or corporation who shall in any manner engage in the business of scavenger shall pay a license fee of twenty-five dollars per annum.

SEC. 13. Each keeper of an intelligence office or employment office shall pay a license of fifty dollars per annum; provided, however, that no license shall be issued without the consent of the mayor.

SEC. 14. Each keeper of a pawnbroker's or loan office shall pay a license fee of two hundred and fifty dollars per annum.

SEC. 15. Each proprietor of a billiard- or pool-table shall pay a license of twenty-five dollars for one such table and fifteen dollars for each additional table per annum.

SEC. 16. Each proprietor of a bowling-alley shall pay a license fee of twenty-five dollars for one alley and fifteen dollars for each additional alley per annum.

SEC. 17. All keepers or owners of livery, sale, or boarding stables shall pay licenses as follows: For those whose gross receipts for the hiring, boarding, and sale of horses and carriages amount to more than fifteen thousand dollars per annum, twenty-five dollars per annum; for those whose gross receipts amount to less than fifteen thousand dollars per annum, fifteen dollars per annum.

SEC. 18. Keepers of dancing and riding academies or schools whose gross receipts are less than six thousand dollars per annum shall pay a license fee of fifty dollars per annum, and those whose gross receipts are more than six thousand dollars per annum shall pay a license fee of seventy-five dollars per annum.

SEC. 19. Keepers of race-courses and ball-grounds, and persons engaged in public exhibitions therein, shall pay a license fee as follows: For each exhibition not continuing for more than one day and for each day of any exhibition five dollars; provided that the keeper of any race-course or ball-ground by payment of one hundred dollars may procure therefor a license for the period of six months or any portion thereof, which license shall exempt from further license all persons engaged in any exhibition at or upon such race-course or ball-ground, but no such license shall be granted unless applied for and paid for at least six hours previous to the opening of the exhibition intended to be included within the license. No license shall be charged to any person or persons owning, leasing, or renting a ball-ground and grounds where amateur baseball is played.

SEC. 20. Street musicians shall pay a license of twenty-five dollars per annum for each instrument used, but no license shall be issued except by consent of the mayor.

SEC. 21. Every dealer in second-hand articles and keepers of junk-shops shall pay a license of fifty dollars per annum.

SEC. 22. Every person or corporation engaged in carrying on the business commonly known as a chattel-mortgage broker, or loaning money and to secure the payment of same taking a chattel mortgage or other security of like nature on household goods, shall pay a license fee of two hundred and fifty dollars per annum. Any person engaged in or carrying on the business of loaning money on chattel mortgage or household goods shall keep a true record of all such loans, showing the amount loaned and amount paid as interest and other charges thereon, which record shall at all times be open for inspection to any person interested therein.

SEC. 23. Every person or corporation engaged in carrying on the business commonly known as a salary-loan broker, or loaning money and to secure the payment of same taking an assignment of or order for the salary due or to become due the borrower, shall pay a license fee of two hundred and fifty dollars per annum. Any person engaged in or carrying on the business of loaning money on salaries shall keep a true record of all such loans, showing the amount loaned and the amount paid as interest and other charges thereon, which record shall at all times be open for inspection to any person interested therein.

SEC. 24. Manufacturers and dealers in explosives shall pay a license fee of fifteen dollars per annum.

SEC. 25. All moneys received for licenses issued under this ordinance shall be placed to the credit of the general fund.

SEC. 26. It shall be the duty of the auditor or his deputies, in connection with the mayor and the police, to enforce the payment of licenses, to examine places of business and persons liable to pay licenses, and to see that such licenses

are taken out, and that no other business than that described in the license is carried on or transacted by the party and at the place named in the license.

SEC. 27. Every person engaged in any trade, occupation, or profession for which a license is imposed by this ordinance shall at the time of procuring the same make application to the auditor, and shall state under oath or affirmation such facts as may be applicable to said license. The auditor shall then issue to the applicant a certificate stating the particular kind of license for which application has been made and the amount of money required by law to be paid therefor. Said certificate shall be delivered to the city treasurer, who shall upon receipt of the sum of money stated therein give a certificate of payment stating the amount of money paid. Said certificate of payment shall be presented to the auditor, who thereupon shall issue said license.

SEC. 28. The auditor shall sign, issue, and keep a record of licenses provided for in this ordinance in his license cash-book and license ledger.

SEC. 29. It shall be the duty of all police or other officers clothed with police powers to enforce the provisions of this ordinance.

NO. 500. Passed July 11, 1904.

Granting permission to the Christian Moerlein Brewing Company to lay steam pipes beneath Elm Street.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That permission is hereby granted to the Christian Moerlein Brewing Company to lay pipes for transmission of steam beneath the surface of Elm Street, directly crossing Elm Street in front of their main office and thence north a distance of ninety feet.

SEC. 2. This work shall be done under the direction and to the satisfaction of the Board of Public Service and its chief engineer, and in such manner as not to in any way interfere with existing sewers or pipes of any kind.

NO. 537. Passed August 8, 1904.

Granting to the Baltimore & Ohio Southwestern Railroad Company permission to lay tracks upon and across Smith Street, north of Second Street, in Cincinnati, Ohio.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That the Baltimore & Ohio Southwestern Railroad Company be and it hereby is granted permission to construct and lay down and maintain and operate the following tracks across Smith Street, north of Second Street, in said city :

First—A track running in an easterly and westerly direction across Smith Street, the center line of which shall be five feet six inches north of the north line of Second Street, to be known as track No. 1.

Second—Two tracks running in a northwesterly and southeasterly direction across Smith Street, forming a junction just east of the west line of Smith Street, and to be known as tracks No. 2 and No. 3 ; the north line of track No. 3 at the point of its intersection with the west line of Smith Street to be forty-eight feet north of the northerly line of Second Street, and the north line of said track No. 3 at the point of crossing at the east side of Smith Street to be thirty feet north of the north line of Second Street ; and the southerly line of said track No. 2, where it crosses the east line of Smith Street, to be twenty-five feet north of the north line of Second Street.

Third—Track No. 4, running in an easterly and westerly direction across Smith Street and lying fifty-seven feet northerly from the north line of Second Street.

Fourth—Track No. 5, connecting with track No. 4 on the easterly line of Smith Street and running in a northwesterly direction, crossing the west line of Smith Street at a point where the north line of said track No. 5 shall be sixty-two feet north of the north line of Second Street.

SEC. 2. Said tracks shall be constructed under the direction and to the satisfaction of the city engineer of said city, and shall be so constructed as not to interfere with the ordinary use and drainage of the street.

SEC. 3. Said tracks shall conform to the grade of the street, and said railroad company shall immediately after the laying of the tracks thereon restore the street where disturbed by it to its present condition.

NO. 538. Passed August 8, 1904.

Granting to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company the right to construct and maintain a sidetrack on Front Street, between Central Avenue and Plum Street, from its present tracks to the property of Anthony Van Agthoven, situated on the north side of Front Street.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That permission be and the same is hereby granted to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company to construct and maintain a single sidetrack on Front Street, between Central Avenue and Plum Street, from its tracks now located on Front Street to the property on the north side of said Front Street owned by Anthony Van Agthoven.

SEC. 2. Said track shall be constructed in accordance with the attached drawing and under the direction and to the satisfaction of the chief engineer of the Board of Public Service of the city. The material to be used in the laying of this track and the method of construction to be the same as has already been provided for the sidetracks built in this territory ; provided that there shall be placed and maintained between the rails thereof and within two and one half inches on either side a planking of oak plank, securely spiked to the crossties, said planking to be of the same thickness as the depth of the rail, so that the surface of the plank shall be flush with the top of the rail. An oak planking not less than four inches wide and of the same thickness as that between the rails shall be securely spiked to the crossties against the outer edge of each rail and flush with the top thereof. The company accepting this franchise shall restore to good condition the streets and sidewalks where disturbed, and keep the same in good repair at all times when said tracks are used as herein specified.

Council may cause the removal of said tracks on thirty days' notice at any time the said company is found violating the provisions of this ordinance.

NO. 539. Passed August 15, 1904.

Granting to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company the right to construct and maintain a railroad track on Eggleston Avenue, across Eighth Street.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company be and the same is hereby granted the right to construct and maintain a railroad track, beginning at the present railroad tracks on Eggleston Avenue, Cincinnati, Ohio, at a point about one hundred and twenty-five feet south of the southerly line of Eighth Street, thence by a curved line across said Eighth Street, and along the east side of Reedy Street about seven feet from the eastern property line thereof, to a point about two hundred feet from the northerly line of Eighth Street.

SEC. 2. Said track shall be constructed in accordance with the attached drawing and under the direction and to the satisfaction of the chief engineer of the Board of Public Service of the city. The material to be used in the laying of this track and the method of construction to be the same as has already been provided for the sidetracks built in this territory; provided that there shall be placed and maintained between the rails thereof and within two and one half inches on either side a planking of oak plank, securely spiked to the crossties, said planking to be of the same thickness as the depth of the rail, so that the surface of the plank shall be flush with the top of the rail. An oak planking not less than four inches wide and of the same thickness as that between the rails shall be securely spiked to the crossties against the outer edge of each rail and flush with the top thereof. The company accepting this franchise shall restore to good condition the streets and sidewalks where disturbed, and keep the same in good repair

at all times when said tracks are used as herein specified. Council may cause the removal of said track on thirty days' notice at any time the said company is found violating the provisions of this ordinance.

NO. 581. Passed September 19, 1904.

Granting to E. H. Wuerdeman the right to erect and maintain a bridge over and across Hay Alley.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

That permission is hereby granted to E. H. Wuerdeman to erect and maintain over and across Hay Alley a bridge to connect his premises fronting on the north side of Thirteenth Street east of Vine Street, No. 13, with his property north thereof, fronting on the north side of Hay Alley; said bridge shall be constructed under direction of the chief engineer of the Board of Public Service and the inspector of buildings, in such manner and at such height above the surface of said Hay Alley as not to in any manner interfere with the passage thereunder of any ordinary vehicular travel or of any vehicles in the service of the fire or police departments. This grant of privilege shall be for a period of ten years, subject to removal of such bridge upon order of the Council of the city of Cincinnati or the Board of Public Service thereof, or the successors of such Council or board, whenever the same shall be found to interfere in any manner with public service or travel.

NO. 593. Passed October 3, 1904.

To supplement an ordinance entitled "An ordinance establishing and creating the office of superintendent of track elevation and subways," passed June 15, 1903.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That Section 2 of an ordinance entitled "An ordinance establishing and creating the office of superintendent of track elevation and subways, passed June 15, 1903, be supplemented by supplementary section as follows:

SEC. 2-a. The superintendent of track elevation and subways may, with the consent of the Board of Public Service, act as an assistant to the chief engineer of said board, and discharge any of the duties pertaining to such chief engineer, and as such shall be subject to the direction and control of the Board of Public Service and such chief engineer. He shall, however, receive no additional compensation for services rendered as such assistant.

NO. 643. Passed November 7, 1904.

Agreeing upon the manner, terms, and conditions upon which the Louisville & Nashville Railroad Company may use, occupy, and cross over, along, and upon the streets, alleys, and public grounds of the City of Cincinnati for the purpose of constructing, maintaining, and operating an extension of its steam railroad from a point at or near pier No. 1 on the Ohio side of the Newport and Cincinnati bridge in the City of Cincinnati to the site of a proposed depot south of Water Street, between Vine and Plum streets, in said city.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the city of Cincinnati does hereby grant unto the Louisville & Nashville Railroad Company the right to occupy, use, and cross over, along, and upon such streets, alleys, and public grounds and so much thereof as may be necessary to construct, maintain, and operate a steam railroad, extending its steam railroad from a point at or near pier No. 1 on the Ohio side of the Newport and Cincinnati bridge in the city of Cincinnati to the site of a proposed depot south of Water Street, between Vine and Plum streets, in said city, including switches and spur tracks, as hereinafter described, and as shown on the plat hereto attached and made a part hereof. The route to be followed by said railroad extensions shall be substantially as follows: Beginning at a point at or near said pier No. 1; thence over private property to a point in the south side of Front Street about four hundred and fifty feet east of the east side of Lawrence Street; thence west over the south sidewalk of Front Street to a point about two hundred and forty-five feet east of the east side of said Lawrence Street; thence over pri-

vate property to the east side of said Lawrence Street; thence across said Lawrence Street to Giffin Street; thence over and along Giffin Street to the east side of Ludlow Street; thence across Ludlow Street to the west side thereof; thence over and along private and public property westwardly to the east side of Broadway; thence over and across Broadway and the Public Landing and Sycamore and Main streets produced to the west side of Main Street produced; thence crossing a portion of Water Street southwesterly to private property; thence across private property to the east side of Walnut Street; thence across Walnut Street; thence across private property to a point thereon east of Vine Street; thence in two diverging lines westwardly and across Vine Street to private property; thence westwardly in lines diverging from points in each of said two lines—ten tracks in all, as shown on said plat—over private property to Race Street, across Race Street to private property, across private property to Elm Street, and across Elm Street to private property. The city also grants the right to the said Louisville & Nashville Railroad Company to occupy, use, and cross over Walnut, Vine, Race, and Elm streets, for the purpose of constructing, maintaining, and operating the switch or spur track shown on said plat, commencing at a point between Walnut and Main streets, and extending west on an elevated structure across Walnut Street, and across and beyond Vine, Race, and Elm streets.

SEC. 2. East of a point between Vine and Walnut streets the track shall be laid upon an elevated structure, and in passing across, along, or upon any street, alley, or public ground said structure shall be of such height and character as not to interfere with the ordinary travel over such street, alley, or public ground.

SEC. 3. West of said point between Vine and Walnut streets the tracks (other than that for the elevated spur referred to above) shall be laid upon the surface of the ground.

SEC. 4. The above grant to use and occupy the streets, alleys, and public grounds aforesaid is hereby declared to be

upon the terms, conditions, and considerations hereinafter set forth, to-wit :

First—The said Louisville & Nashville Railroad Company shall, at its own expense, acquire the private property necessary for the tracks above mentioned.

Second—In laying its track or tracks along, upon, or over any of said streets, alleys, and public grounds, the said Louisville & Nashville Railroad Company shall, wherever said track or tracks are authorized by this ordinance to be laid upon the surface of the streets, alleys, or public grounds, conform to the grades of said streets or alleys and public grounds. All tracks shall be so laid or constructed as not to obstruct unnecessarily the ordinary passage along said streets, alleys, and public grounds. If it shall become necessary in the location and construction of its tracks for the said company to change in any place or places the then existing grade of any of said streets or alleys or public grounds, the character of such change of grade shall be delineated on a plat to be filed in the office of the city clerk and approved by Council, and the work in accordance with such plat shall be done under the supervision of the city engineer; and provided always that said company shall, at its own expense, provide for ample drainage alongside of or under or across its tracks for all of the rainfall or natural watercourses with which its tracks might otherwise interfere, and for that purpose shall also make all necessary gutters and culverts for such drainage; provided, however, that in the laying and constructing of its said track the company shall be permitted, free of charge, to tap any sewer or drain constructed by the city of Cincinnati at any point on the line of said railroad for the purpose of draining the tracks or grounds of said company; and shall, at its own cost, remove any earth or other material, and do all the grading, repaving, and other work which may be necessary to restore the said streets to as good condition as they were in before said work was done; and so long as said tracks shall remain upon the surface of said streets, alleys, or public

grounds, as herein authorized, said company shall keep that portion of said streets, alleys, and public grounds lying between the rails of the track or tracks, and between the tracks where more than one track is laid upon any street, alley, or public ground, and for one foot on the outside of each outside rail thereof, in good repair, of the same material as is used by the city upon other portions of the street, alley, or public ground adjacent thereto. And if at any time said company shall remove said track or tracks from said streets, alleys, or public grounds, it shall restore the said streets, alleys, or public grounds to the same grade and condition as are the portions thereof which are maintained by the city. Any portion of the pavements of said streets and alleys, including the sidewalks, which it may be necessary to take up or disturb in the location of said tracks shall be properly replaced at the expense of said company.

Third—The said company shall also have the right to construct and use sidetracks from its own main and connecting tracks, as herein authorized, to the property of adjacent proprietors and shippers of freight who may desire the same, and to its proposed depot and yards west of Vine Street; provided, however, that before any connecting or sidetracks as provided in this paragraph shall be constructed a plat of such proposed track or tracks shall be prepared by said company, and filed with and approved by the Board of Public Service or its successors, and such track or tracks shall be laid in conformity with such plat, and the work shall be done under the direction of the engineer appointed by said board.

Fourth—Upon the written acceptance of this ordinance by the said Louisville & Nashville Railroad Company, filed with the city clerk, this ordinance shall thereby become operative and binding as a contract between the city of Cincinnati and the Louisville & Nashville Railroad Company.

SEC. 5. Nothing in this ordinance contained shall be held or taken to confer upon said railroad company any right or interest in the private property of any person or company

adjacent to or abutting upon the streets, avenues, and public ways herein authorized to be used or occupied, and said company shall save the city harmless from any and all claims of any such owner for loss or damage by reason of injury to property caused by such use and occupation of such streets, avenues, and public ways.

SEC. 6. This ordinance shall take effect and be in force and capable of acceptance from and after the earliest period allowed by law. The company shall have ninety days in which to accept this ordinance. If not accepted within ninety days from and after its passage this ordinance shall become null and void.

NO. 646. Passed November 7, 1904.

Granting to the Cincinnati Beveling and Silvering Company the right to erect and maintain an iron beam across Bard Alley.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the right is hereby granted to the Cincinnati Beveling and Silvering Company to erect and maintain above and across Bard Alley an iron **I** beam, connecting its present factory building at No. 430 Oliver Street with a one-story storage-room on Bard Alley, between Oliver and Poplar streets.

SEC. 2. This **I** beam shall be placed in position under the direction and to the satisfaction of the inspector of buildings and chief engineer of the Board of Public Service, in such manner that vehicular travel shall not in any way be interfered with.

SEC. 3. The city of Cincinnati reserves the right to cause the removal of said **I** beam if at any time it should be found an obstruction to vehicular travel or to the vehicles or appliances of the fire department or police department.

NO. 702. Passed December 27, 1904.

Dispensing with official bonds of councilmen.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. Hereafter no bonds shall be required of any councilman for the faithful performance of his duty as councilman.

NO. 741. Passed January 23, 1905.

Granting right for construction of a vestibule for the Traction Building.

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That permission is granted to the Baltimore & Ohio Southwestern Railroad Company to construct a vestibule at the entrance to their freight office in the Traction Building, on Walnut Street, to extend upon the sidewalk a distance not to exceed two and one half feet from the house line of said building.

SEC. 2. Said vestibule to be constructed in accordance with the plan to be approved by the inspector of buildings, according to ordinances of the city or statutes of the State.

SEC. 3. This right shall continue until revoked by Council.

NO. 504. Passed July 18, 1904.

To regulate the running at large of dogs, to provide against the injury and annoyance therefrom, and to authorize the disposition of the same when running at large contrary to the provisions of this ordinance (as amended as to Section 11 by Ordinance No. 583, passed September 26, 1904).

Be it ordained by the Council of the City of Cincinnati, State of Ohio :

SEC. 1. That from and after the first day of September, 1904, it shall be unlawful for any person owning or harboring any animal of the dog kind to suffer or permit such animal to run at large in any of the streets, alleys, public landings, market-spaces, or commons of the city until a permit therefor is obtained from the city auditor.

SEC. 2. Such permit shall be granted upon application to the city auditor, shall be signed by the city auditor or one of his deputies, and shall continue in force until the first day of September next ensuing after its issue. Every person making such application shall pay a fee of one dollar into the city treasury, such fee to be accepted by the city treasurer on a warrant from the city auditor.

SEC. 3. In applying for such permit the owner shall state in writing the name, sex, breed, age, color, and character of the dog—whether vicious or gentle—for which a permit is to be procured; and if, in the opinion of the auditor, such dog is apt to be dangerous if at large, such permit may be refused.

SEC. 4. The owner of every dog for which such permit is issued must place around its neck a collar to which shall be attached a metal tag, distinctly marked with the year in which it is issued, and a number designated by the city auditor, which number shall be stated in the permit granted. Such metal tag shall be furnished by the city, and no other tag shall be used as a substitute therefor.

SEC. 5. The city auditor shall copy in a book to be provided for that purpose a record of all such permits granted, with the name and residence of the person to whom issued, and the number designated upon the metal tag furnished therewith.

SEC. 6. Permits granted under the provisions of this ordinance shall date from the first day of September of each year, and must be renewed on expiration by the payment of one dollar for each renewal. The certificate of permission of renewal shall be granted upon an application similar to that made in applying for the original permit, and shall state the name and address of the owner of the dog, and also the number of such permit or renewal. No permit shall be transferred without the consent of the city auditor indorsed thereon.

SEC. 7. It shall be lawful for any police or peace officer, or any person duly authorized in writing by the mayor, to capture, seize, and deliver to the public pound, or any suitable place to be approved by the mayor, any dog found to be run-

ning at large in any of the streets, alleys, public landings, market-spaces, or commons of the city and not wearing the metal tag as provided by this ordinance.

SEC. 8. Any dog so seized and impounded may be redeemed by any person producing the permit thereof and proving ownership of such dog within seventy-two hours after such seizure and impoundage. If it shall be shown that the permit so produced was issued prior to the time when such dog was so seized or impounded, no payment shall be exacted for the return of the dog; otherwise, before the owner shall be permitted to resume possession of the said dog he shall pay the sum of two dollars into the city treasury on the warrant of the city auditor, who shall, upon production of a receipt from the city treasurer showing the payment of said sum of two dollars, issue an order directing the return of such dog to the owner. If the owner of a dog seized or impounded under the provisions of this ordinance does not resume its possession by compliance with the forgoing provisions within seventy-two hours after the seizure and impounding thereof, such dog shall be sold if salable, and if not salable killed.

SEC. 9. Whenever the mayor shall deem it necessary for the protection of the public he shall issue an order prohibiting for a certain time therein specified any or all dogs from running at large in any public street or place in the city, unless such dogs be securely muzzled or led by a line or chain so as to effectually prevent them from biting any person or animal. Such order shall be published in some newspaper published in the city for such time as the mayor shall deem necessary.

SEC. 10. No person shall molest or interfere in any way with any officer or person duly authorized under the provisions of this ordinance while engaged in performing work under the provisions of this ordinance. A violation of any of the provisions of this ordinance shall be a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one hundred dollars.

SEC. 11. The Board of Public Service of the city may, after advertisement for bids in accordance with law, contract with any person, association, or corporation presenting the lowest and best bid for the capture, impoundage, and disposition of all dogs running at large contrary to the provisions of this ordinance, and for the maintenance and shelter of lost, strayed, or harmless dogs. The Board of Public Service may prescribe in the contract the manner in which the work is to be done and in which payments were to be made by the city thereunder. When such contract is made all dogs thereafter captured or seized under the provisions of Section 7 of this ordinance shall be delivered to the contractor, to be held or disposed of in accordance with such contract.

SEC. 12. The provisions of this ordinance shall not apply to dogs owned by non-residents passing through the city, nor to dogs brought to the city and entered for exhibition at any dog-show.

SEC. 13. All ordinances inconsistent with the provisions of this ordinance are hereby repealed.

NO. 553. Passed August 29, 1904.

Regulating the construction, erection, and maintenance of signs in streets, sidewalks, alleys, and public places in the City of Cincinnati.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. No person or corporation shall set up or place or maintain any sign, board, or other devise or thing whatever advertising or denoting the place of residence or business of any person, firm, or corporation, or any occupation, or the merchandise or thing which any person, firm, or corporation may possess or have to dispose of, which shall extend more than twenty-four inches into the line of any street, thoroughfare, alley, or public place, unless the same shall be twelve feet above the level of the sidewalk, or roadway if there is no sidewalk; and where such sign is twelve feet or more above the sidewalk, or roadway if there is no sidewalk, it shall not extend into the street beyond the curb-line unless suspended

from and of as great a height as the roof of the building to which it is attached or in front of which it is located, in which case it may extend into the street, subject to the conditions of Section 2 of this ordinance.

SEC. 2. No sign whatever projecting more than twelve inches into the street shall be erected or maintained unless a permit therefor is obtained from the Board of Public Service, which permit shall be issued only when the plans and specifications for such sign have been approved by the inspector of buildings, and such sign shall only be erected or maintained under the supervision and to the satisfaction of said inspector of buildings and said Board of Public Service.

SEC. 3. Any person, firm, or corporation violating any of the provisions of this ordinance shall upon conviction thereof be fined in an amount not exceeding one hundred dollars for each offense.

SEC. 4. An ordinance entitled "An ordinance regulating the construction and erection of signs in the streets, sidewalks, alleys, and public places in the city of Cincinnati," passed April 25, 1904, is hereby repealed.

NO. 760. Passed February 7, 1905.

To prohibit the erection of buildings within certain limits unless the outer walls be constructed of iron, brick and mortar, or stone, brick and mortar.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the erection of any building or addition to any building within the limits bounded by Brewster Avenue, Montgomery Pike, Jonathan Street, and Woodburn Avenue, unless the outer walls be constructed of iron, brick and mortar, or stone, brick and mortar, be and the same is hereby prohibited.

SEC. 2. That any building or buildings, or any addition to any building, erected contrary to the provisions of this ordinance shall, after thirty days' notice to the owner or agent to remove the same, be removed by the fire chief, and the expense of such removal charged to such owner.

[NOTE—This applies to the former village of Evanston.]

NO. 775. Passed February 20, 1905.

Granting to the Union Grain and Hay Company right to erect and maintain a hay-scale.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

That right is hereby granted to the Union Grain and Hay Company to erect and maintain a hay-scale in Dublin Street, between Eighth Street and Gilbert Avenue, in the rear of their new elevator building. The space to be occupied by this scale shall be ten by twenty feet. It shall be constructed under the direction of the Board of Public Service and its chief engineer.

NO. 776. Passed February 20, 1905.

Regulating the use of Schorr Alley.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. All vehicles using Schorr Alley, between McMillan Street and Warner Street, shall enter said alley from McMillan Street, and proceed thence southwardly.

SEC. 2. Any person violating the provisions of this ordinance shall upon conviction thereof be fined in a sum not more than ten dollars for each offense.

NO. 781. Passed February 27, 1905.

Granting the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company the right to construct and maintain scales in the street and sidewalk on the north side of Front Street at a point about one hundred and fifty feet east of Broadway.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. That the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company is hereby authorized to erect and maintain scales in the street and sidewalk on the north side of Front Street at a point about one hundred and fifty feet east of Broadway.

SEC. 2. The scales to occupy a space twenty-five feet two inches by thirteen feet six inches, of which about nine feet five and one half inches is on the street and about four

feet one half inch on the sidewalk ; the part of said scales to which the weights are attached being constructed over or under the sidewalk to the property on the north side of Front Street.

SEC. 3. The portion of the street affected by the construction of the scales to be restored and maintained in good condition during the time of the occupancy of the street.

SEC. 4. The scales to be changed in elevation by the said company to suit any future improvement of Front Street.

SEC. 5. The construction and maintenance of the scales and restoration and maintenance of the street to be at the expense of the said company and under the supervision of the engineer of the Board of Public Service.

SEC. 6. The said the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company to be responsible for any and all injury or damage to persons or property by reason of the occupancy or use of the street as herein permitted.

SEC. 7. The scales to be removed and the street restored to good condition at any time by the said company, when so ordered by Council, upon thirty days' notice.

A RESOLUTION Passed January 23, 1905.

Granting permission to the Union Grain and Hay Company to erect a canopy over their new elevator on Reedy Street.

Resolved, That permission is hereby granted to the Union Grain and Hay Company of Cincinnati to erect and maintain along the front of their new elevator building on Reedy Street, between Gilbert Avenue and Eighth Street, a canopy to extend a distance of sixty-three feet along the length of the building, and to project over the sidewalk a distance of nine feet beyond the front line of the building. This canopy shall have an angle of fifteen degrees, supported by steel brackets, about six in number, and covered with corrugated iron.

A RESOLUTION Passed February 7, 1905.

Approving a plan for and authorizing a change of siding in the Front-street connection track at Front and Smith streets.

Be it resolved by the Council of the City of Cincinnati, State of Ohio :

That the plan submitted by the Pennsylvania Railroad Company, as shown on the attached blue print, for a change in the siding of the Front-street connection track at Front and Smith streets for the accommodation of the Globe Rolling Mill Company, be and the same is hereby approved, and said railroad company is hereby authorized to make such change in conformity to said plat, under the direction and to the satisfaction of the chief engineer of the Board of Public Service.

A RESOLUTION Passed February 13, 1905.

Prohibiting sandstone curbing.

Resolved, That the chief engineer of the Board of Public Service be instructed, in preparing specifications for street improvements under direction of City Council, not to include any sandstone curbing in any of said specifications; and that the clerk certify this to the Board of Public Service and to its chief engineer.

BOND ISSUES ORDERED AND REPEALED :

\$50,000 Condemnation purposes. (Ord. No. 282, passed January 25, 1904.)

\$50,000 Hospital Emergency Fund. (Ord. No. 294, passed February 1, 1904.)

\$7,500 Viaducts. (Ordinance No. 320, passed February 23, 1904.)

\$300,000 City's portion resurfacing, repairing, or improving streets. (Ord. No. 344, passed March 14, 1904.)

\$250,000 City's portion constructing sewers, drains, and ditches. (Ord. No. 345, passed March 14, 1904.)

\$1,570.62 Sidewalk construction in Hyde Park. (Ord. No. 362, passed March 21, 1904.)

\$500,000 Cost of purchasing and condemning land for park purposes. (Ord. No. 407, passed April 25, 1904.)

\$300,000 Constructing and repairing viaducts. (Ordinance No. 436, passed May 9, 1904.)

\$325,000 Fire department purposes. (Ord. No. 471, passed June 13, 1904.)

\$30,000 Free public libraries. (Ord. No. 479, passed June 24, 1904.)

\$200,000 City's portion of resurfacing or improving streets. (Ord. No. 521, passed August 1, 1904.)

\$25,000 Improving and completing existing parks. (Ord. No. 526, passed August 8, 1904.)

\$30,000 Purchasing or condemning land for highway purposes. (Ord. No. 536, passed August 8, 1904.)

\$36,000 Repairing or improving existing streets. (Ord. No. 542, passed August 15, 1904.)

\$15,000 Free public libraries. (Ord. No. 651, passed November 14, 1904.)

\$16,000 Free public libraries. (Ord. No. 679, passed December 5, 1904.)

\$500,000 City's portion of resurfacing or improving existing streets. (Ord. No. 723, passed January 16, 1905.)

\$250,000 Erecting a hospital and procuring real estate therefor. (Ord. No. 733, passed January 23, 1905.)

\$75,000 Purchasing or condemning land for highway purposes. (Ord. No. 752, passed January 30, 1905.)

\$20,000 Improving and repairing Workhouse. (Ordinance No. 757, passed February 7, 1905.)

\$30,000 Improving and repairing House of Refuge. (Ord. No. 758, passed February 7, 1905.)

Repeal of ordinance passed September 21, 1903, to issue bonds in the sum of \$250,000 for resurfacing and improving existing streets, but not affecting \$75,000 thereof taken by the Sinking Fund Trustees. (Ord. No. 342, passed March 14, 1904.)

Repeal of ordinance passed September 21, 1903, to issue bonds in the sum of \$250,000 for city's portion of sewers, drains, and ditches, but not affecting \$5,000 thereof taken by the Sinking Fund Trustees. (Ord. No. 343, passed March 14, 1904.)

Repeal of ordinance passed May 11, 1903, condemning lots and lands for play-ground and park purposes—\$1,000,000. (Ord. No. 406, passed April 25, 1904.)

Repeal of ordinance passed August 1, 1904, to issue bonds in sum of \$25,000 for purpose of improving existing parks. (Ord. No. 525, passed August 8, 1904.)

Repeal of ordinance passed August 15, 1904, for issue of bonds in sum of \$36,000 for repairing and improving existing streets. (Ord. No. 608, passed October 10, 1904.)

BLOCKED SQUARES:

To block square bounded by Oak Street, May Street, Stanton Avenue, and Tuxedo Place. (Ord. No. 323, passed February 23, 1904.)

To block square bounded by Freeman Avenue, Gest Street, Dalton Avenue, and Oehler Street. (Ord. No. 416, passed April 25, 1904.)

To block square bounded by Court, Reedy, Eighth, and Lock streets. (Ord. No. 754, passed February 7, 1905.)

To repeal ordinance to block square bounded by Freeman, Garrard, Gest, and Oehler streets. (Ord. No. 280, passed January 25, 1904.)

To repeal ordinance to block square bounded by Ferry Street, Eastern Avenue, Lewis Street, and the Ohio River. (Ord. No. 442, passed May 9, 1904.)

WAGON-SCALES IN STREETS AUTHORIZED:

Metzger-Hill Company, west side of President Place. (Ord. No. 467, passed June 13, 1904.)

CINCINNATI SOUTHERN RAILWAY :

A resolution declaring it to be "to the interest of the city of Cincinnati that the Cincinnati Southern Railway shall be sold" was passed by the Board of Legislation, on request of the Sinking Fund Trustees, on April 10, 1896. In accordance with this action a special election on this subject was held on August 13, 1896, the result thereof being a vote for the sale of 15,493, and against the sale 15,931, the measure being thus defeated.

CITY TREASURER AND AUDITOR :

By resolution of the Board of Legislation of August 7, 1900, the city treasurer is authorized and directed to act as custodian of the fund arising from the sale of certain Cincinnati Hospital bonds. The auditor is authorized to create the Cincinnati Branch Hospital Improvement Fund.

NAMES OF STREETS AND ALLEYS :

Dieckmann Alley, west from Bogen Street, named. (Ord. No. 401, passed April 18, 1904.)

Curtis Street, between Kemper Lane and South Elm Street, change to Cross Lane. (Ord. No. 703, passed December 27, 1904.)

Sullivan Alley change to Townsend Street. (Ord. No. 762, passed February 7, 1905.)

NOTICE OF CHANGE IN NAMES OF STREETS. Passed April 14, 1902

Resolved, That it shall be the duty of the clerk of this body to cause notice to be published in at least one English and one German paper of the pendency herein of any ordinance to change the name of any street or other public way or place of Cincinnati; provided that such name be not in duplicate in the list of such streets or other public ways, and that final action shall not be taken upon such an ordinance

until the clerk shall notify the board that such notice has been given.

DEPUTY INSPECTORS OF BUILDINGS :

By Ordinance No. 287, passed February 1, 1904, two additional temporary deputy inspectors of buildings were provided for for six months, at a salary of one hundred and fifty dollars each per month.

THE GAMBLE FOUNTAIN. Passed April 21, 1902

Resolved by the Board of Legislation of the City of Cincinnati, That the fountain known as the "Gamble Fountain," located at or near the intersection of Harrison Avenue and Epworth Avenue, be designated as a public watering-fountain for man and beast, and that the same be cared for in the same manner as other public watering-fountains specially mentioned in the ordinance passed July 27, 1894.

RIGHT OR FRANCHISE. Passed April 28, 1902

Every ordinance introduced for the purpose of granting a right or franchise to any individual, company, or corporation shall be accompanied by at least one hundred printed copies thereof, with lines numbered and in the usual form ordered by the clerk, which printing shall be at the expense of the individual, company, or corporation asking for the franchise.

REMOVAL OF CABLE TRACKS FROM DORCHESTER AVENUE.

Passed October 26, 1903

Be it resolved by the Council of Cincinnati, That the Cincinnati Traction Company be required to remove the old cable tracks on Dorchester Avenue, from Josephine Street to Highland Avenue.

FREE PUBLIC BATH-HOUSE. Passed September 29, 1902

Whereas, The Board of Police Commissioners have notified this board that they are about to abandon the property known as No. 1523 Bremen Street, now occupied as a police station, and surrender the same to the custody and control of this board ;

And whereas, The said board of Police Commissioners have recommended that said property be used for free public bath-house purposes ;

And whereas, It is the sense of this board that said property can be used for bath-house purposes to greater advantage than in any other way :

Therefore be it resolved, That upon the abandonment of said premises by the said police commissioners said property be devoted to and used for a free public bath-house.

And be it further resolved, That the Board of Public Service be requested to forthwith have plans made of the changes necessary in said premises to make them available for bath-house purposes, together with an estimate of the cost and expense of such changes, and report the same to this board.

AUDITOR TO ADVERTISE AND SELL BONDS. Passed Jan. 4, 1904

Whereas, The Board of Trustees of the Sinking Fund of the city of Cincinnati, by reason of the approaching maturity of a large number of city bonds, has declined to take street improvement bonds the issue of which is provided for by ordinances of Council in proceeding for the improvement of streets, and it therefore becomes necessary to offer said bonds for sale :

Now therefore be it resolved by the Council of the City of Cincinnati, That the auditor of said city be and he is hereby authorized to advertise and sell said bonds as provided by law, and to pay the proceeds of such sale to the city treasurer.

PURCHASE OF GLENWAY AVENUE TURNPIKE. Passed Jan. 19, 1903

Whereas, The city of Cincinnati has recently annexed as a part of said city the territory comprising the Warsaw Special School District No. 1 of Delhi Township, Hamilton County, Ohio ;

And whereas, The Glenway Avenue Turnpike, one and one third miles in length and owned by the Glenway Avenue Turnpike Company, is wholly within the city limits so extended ;

And whereas, Said company is collecting tolls upon said toll road as heretofore ;

And whereas, It is desirable that the city acquire said toll road, as provided in Section 3491, Revised Statutes of Ohio ;

And whereas, Said company has offered to sell said toll road to the city for the sum of \$18,300 ;

And whereas, Said sum is deemed the reasonable and fair value of said toll road :

Therefore be it resolved, That the city of Cincinnati does hereby accept said offer of said turnpike company, and does hereby purchase from said the Glenway Avenue Turnpike Company said toll road, and that, upon the payment of said sum as aforesaid, said the Glenway Avenue Turnpike Company convey by a good and sufficient deed to said city of Cincinnati the property aforesaid.

PIPE ACROSS PRODUCE ALLEY. Passed June 15, 1903

Be it resolved by the Council of the City of Cincinnati, That permission is hereby granted to the Lippincott & Cree Company to erect and maintain a four-inch pipe to convey steam across Produce Alley to their engine-room, the pipe to be at a height from the ground and erected in such a manner so as not to interfere with the traffic of vehicles passing through the said Produce Alley, and that the city of Cincinnati, through its Council, reserves the right at any time to revoke this permit.

THANKS TENDERED ANDREW CARNEGIE. Passed April 13, 1903

Whereas, Andrew Carnegie has agreed to furnish the sum of one hundred and eighty thousand dollars to the trustees of the Public Library of the School District of Cincinnati for the building of branch libraries, on condition that said trustees furnish the sites for said buildings and maintain free public libraries in same at an annual cost of not less than ten per cent of the cost of construction of each branch library building ;

And whereas, The said trustees have accepted the donation on the conditions stated :

Now therefore be it resolved, That the thanks of the people of Cincinnati are due and are hereby tendered to Mr. Carnegie for his munificent and useful gift, and that this Board of Legislation of the city of Cincinnati approved of the action of the Board of Trustees of the Public Library of the School District of Cincinnati in accepting said donation, and in agreeing to maintain said branch libraries.

Be it further resolved, That the city clerk of Cincinnati transmit to Mr. Andrew Carnegie a certified copy of this resolution.

CHANGE OF TIME-TABLE FOR CITY LIGHTING. Passed Jan. 18, 1904

Resolved by the Council of the City of Cincinnati, State of Ohio, That the time-table for lighting and extinguishing public lamps in the city of Cincinnati, adopted by the City Council May 1, 1868, be so modified that on each day during the months of October, November, December, January, February, and March the lighting of the lamps shall be continued each morning one half an hour longer than is specified in said time-table ; and that during the months of April, May, June, July, August, and September the lamps shall be extinguished one half hour earlier than is therein specified.

MOVING OF ELECTRIC LIGHTS. Passed December 7, 1903

Resolved by the Council of the City of Cincinnati, That when, in the opinion of the Board of Public Service, it becomes necessary to shift electric lights heretofore located, said Board of Public Service be and it is hereby authorized to shift and relocate electric lights subject to the terms and conditions as to the payment of the expense thereof set forth in the contract for street lighting heretofore entered into by the city with the Cincinnati Gas and Electric Company.

THE GARBAGE CONTRACT.

The prices per annum under the present contract are as follows :

| | |
|---------------------------|-----------------|
| Portion of 1902 | 43,600 |
| 1903 | 76,600 |
| 1904 | 77,500 |
| 1905 | 78,500 |
| 1906 | 80,400 |
| Portion of 1907 | 35,400 |
| Total | <hr/> \$392,000 |

LINES OF CINCINNATI TOWNSHIP

MADE COEXTENSIVE WITH THE CORPORATE LIMITS OF THE CITY OF CINCINNATI AS ENLARGED BY ANNEXATION.

RESOLUTION OF THE COMMISSIONERS OF HAMILTON COUNTY
(Passed April 12, 1904)

Whereas, This Board of County Commissioners has received the following resolution from the Council of the city of Cincinnati, to-wit :

“Be it resolved by the Council of the City of Cincinnati, State of Ohio, That the honorable County Commissioners of Hamilton County, Ohio, be petitioned and requested to change the township lines of Cincinnati Township so as to include within the limits thereof all that part of Columbia

and Millcreek townships included in the territory formerly within the corporate limits of the former villages of Hyde Park, Evanston, Bond Hill, and Winton Place.

"Also the following described territory known as Oklahoma: Commencing at the intersection of Mill Creek with the south line of Section 27, Millcreek Township; thence west along the south line of Section 27, Millcreek Township, to the west line of said section; thence north along the west line of Sections 27 and 28, Millcreek Township, to the West Fork Creek; thence southwardly along the West Fork Creek to Mill Creek; thence along Mill Creek to the place of beginning.

"Also the following described territory lying between Mill Creek and the Miami and Erie Canal, and being that part of Spring-Grove Cemetery which lies south of Spring-Grove Avenue: Commencing where the Miami and Erie Canal intersects the east line of Section 22, Millcreek Township; thence southwestwardly along said canal to the eastern boundary line of the Twenty-third Ward of the city of Cincinnati; thence northwestwardly along said boundary line to the center line of Mill Creek; thence northeastwardly along said center line of Mill Creek to the east line of Section 22, Millcreek Township; thence south along said section line to the place of beginning.

"Also the following described territory lying in Sections 3 and 4, Millcreek Township: Beginning at a point where the former north corporation line of Evanston intersects the former eastern corporation line of Cincinnati, north of Langdon Avenue; thence east along the former north corporation line of Evanston to the west corporation line of Norwood; thence northwardly, following the west line of Norwood, to a point where said line extends westwardly to the Reading Road; thence west with the south line of said extension of the corporation line of Norwood to the Reading Road; thence northeastwardly along the corporation line of Norwood, following the line of Reading Road, to a point where the corporation line extends eastwardly from Reading Road; thence eastwardly with said corporation line to a point where the said corporation line extends northwardly; thence northwardly, eastwardly, and northwardly, following the west corporation line of Norwood, to the north line of Section 4, Millcreek Township; thence west along the north line of Section 4, Millcreek Township, to the eastern boundary line of the former village of Bond Hill, being the west line of Reading Road; thence southwestwardly with the west line of Reading Road to the former north corporation line of Cincinnati; thence southeastwardly along the former corporation line of Cincinnati to the southeastwardly side of Reading Road; thence southwest along the southeast line of Reading Road to the south line of Hopkins Avenue; thence east along the south line of Hopkins Avenue to the former east corporation line of the city; thence south along said east corporation line to a point where the former north corporation line of Evanston intersects the former east corporation line of the city of Cincinnati, north of Langdon Avenue, to the place of beginning.

"All of the territory indicated by said description being now within the corporate limits of the city of Cincinnati; said action to be taken in accordance with provision of Section 1380 of the Revised Statutes of Ohio, so that the lines of Cincinnati Township may be coextensive with those of the city of Cincinnati.

"And be it further resolved, That the city solicitor be instructed to present the foregoing resolution to the honorable County Commissioners of Hamilton County, Ohio, duly authenticated, and that he urge a compliance therewith."

And whereas, The certificate of the city clerk attached to said resolution shows that the foregoing resolution is a correct copy from the journal of the city of Cincinnati, kept under the authority and by direction of the Council thereof: Therefore

Be it resolved by the Board of County Commissioners, That the township lines of Cincinnati Township be so changed as to include within the limits thereof all that part of Columbia and Millcreek townships in the territory formerly within the corporate limits of the former villages of Hyde Park, Evanston, Bond Hill, and Winton Place, also the territory formerly known as Oklahoma and more particularly described in the foregoing resolution, and that said territory be and it is hereby annexed to the township of Cincinnati, and that the boundaries of Cincinnati Township be and they are hereby enlarged in accordance therewith.

Be it further resolved, That the plat accompanying this resolution, showing the boundary of the said territory lying in said township aforesaid, be placed on record in the office of the county engineer of Hamilton County, Ohio, as a public record.

RESOLUTION OF THE COMMISSIONERS OF HAMILTON COUNTY
(Passed April 23, 1904.)

Whereas, This Board of County Commissioners has received the following resolution from the Council of the city of Cincinnati, to-wit :

"Be it resolved by the Council of the City of Cincinnati, State of Ohio (two thirds of all the members elected thereto concurring), That the honorable County Commissioners of Hamilton County be petitioned and

requested to change the township lines of Cincinnati Township so as to include within the limits thereof all that part of Delhi Township now within the corporate limits of the city of Cincinnati, described as follows: Commencing at a point in the northeast corner of Section 6, Delhi Township, which point lies also in the west corporation line of the city of Cincinnati; thence west along the north line of Sections 6 and 12 of said township to a point midway between the east and west lines of Section 12, said point being in the half section line; thence south on a straight line along said half section line and a road west of the St. Joseph's Cemetery to the south line of said Section 12 and the Foley Road; thence east along the south lines of Sections 12 and 6 to the east line of Section 6, which point lies in what was formerly the west corporation line of the city of Cincinnati; thence north along the east line of Section 6 and what was formerly the west corporation line of the city of Cincinnati to the place of beginning. This petition to be made and presented in accordance with the provisions of Section 1380 of the Revised Statutes, so that the lines of Cincinnati Township may be coextensive with the city of Cincinnati.

"And be it further resolved, That the city solicitor be instructed to present the foregoing resolution to the honorable County Commissioners of Hamilton County, Ohio, duly authenticated, and that he urge a compliance therewith."

And whereas, The certificate of the said clerk attached to the said resolution shows that the foregoing is a correct copy from the journal of the city of Cincinnati, kept under authority and direction of the Council: Therefore

Be it resolved by the Board of County Commissioners, That the township lines of Cincinnati Township be so changed as to include within the limits thereof all that part of Delhi Township now within the corporate limits of the said city of Cincinnati as hereinbefore more particularly described, and they are hereby annexed to the township of Cincinnati; and it is ordered that the boundaries of Cincinnati Township be and they are hereby enlarged in accordance therewith.

Be it further resolved, That the plats accompanying this resolution, showing the boundaries of the said territory lying in said Delhi Township aforesaid herein annexed to the township of Cincinnati, be placed on record in the office of the county engineer of Hamilton County, Ohio, as a public record.

NO. 791. Passed March 6, 1905.

Providing for the payment of the premiums upon official bonds signed by surety companies.

Be it ordained by the Council of the City of Cincinnati, State of Ohio:

SEC. 1. Whenever bonds and undertakings are required for the faithful performance of official duty, or for the faithful keeping, applying, or accounting of public funds or property by officials of the city of Cincinnati or employees thereof, or for one or more of such purposes, and such officer or employee duly files or has duly filed a bond or undertaking signed by a company or companies authorized by the laws of this state to guarantee the fidelity of persons holding places of public trust, the premium charged by said company or companies for so becoming surety or sureties, if the term of such official or the period for which said employee is employed or appointed has not yet expired, shall be paid to such surety or sureties out of the funds provided for the maintenance and expenses of the department over which such officer or employee has charge or in which he is serving; provided, however, that the premium shall in no case exceed in the aggregate one half of one per cent per annum of the amount of such bond or undertaking. Unless such bond or undertaking shall be double the amount of the liability of the party principal therein, then such premium shall not exceed in the aggregate one fourth of one per cent per annum on the amount of such bond or undertaking; provided, further, that such company or companies so becoming surety shall have complied and continue to comply with the laws of this state relative to such companies, and with such requirements as may be prescribed by the head of the department and the officer required to approve or reject the same.





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